CITY OF PITTSBURG
PLANNING COMMISSION MEETING AGENDA

MAY 26, 2020

CITY HALL COUNCIL CHAMBER
65 CIVIC AVENUE, PITTSBURG, CA

PUBLIC ADVISORY:

THE CITY COUNCIL CHAMBER WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for May 26, 2020 will be conducted telephonically through Zoom and broadcast live through Granicus on the City's website which can be located on the Streaming Media page. If you do not have internet access, the meeting will also be available to the public in a listening-only mode via telephone call-in line. To listen to the meeting, dial 1 (669) 900-6833. When prompted, dial in the Webinar ID, 834 1748 9786, and Password, 781977.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

Comments can be submitted via email to meetingcomments@ci.pittsburg.ca.us. If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate “FOR PUBLIC COMMENT – NON-AGENDA.” Comments that you want to read to the Commission will be subject to the three-minute time limitation (approximately 350 words). In the event the Commission receives a high-volume response, read-in comments may be subject to a shortened time limitation of two minutes (approximately 250 words). Written comments that are only to be provided to the Planning Commission and not read at the meeting will be distributed to the Commissioners prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID 19 virus.

City of Pittsburg
Planning Commission Agenda

May 26, 2020

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

Regular Meeting
7:00 P.M.

Planning Commission Members
Sarah Foster, Chair
Christopher Moreno, Vice-Chair
Dr. Trinh Nguyen, Commissioner
Wolfgang Croskey, Commissioner
James Coniglio, Commissioner
Punita Bhasin, Commissioner
Elissa Robinson, 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.

This agenda was posted in City Hall on Thursday, May 21, 2020

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

CONSENT

1. **Minutes**
   Minutes of May 12, 2020

PUBLIC HEARINGS

2. **Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)**
   This is a continued public hearing on a request for approval of a modification to Condition No. 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of 200ml containers of distilled spirits at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

COMMISSION CONSIDERATIONS

3. **Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509**
   This is a request for a three-year extension of approval for design review of plans to construct a 318-unit apartment complex, consisting of twelve three-story buildings and one clubhouse, on a 13.3 acre site located immediately west of Tomales Bay Drive and known as 'Village M' of the San Marco PD (Planned Development, Ordinance No.12-1362) District. Assessor's Parcel No. 091-050-064.

4. **T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)**
   This is a request for design review approval of plans to construct a new 75' tall monopole tower with 12 antennas and supporting radio equipment, enclosed within an 8' tall chain link compound on an approximately 43,000 square foot site located at 1592 Willow Pass Road, in the IG (General Industrial) District. Assessor's Parcel No. 097-092-007.

5. Diablo Energy Storage Project, 2020 Amendment, AP-20-1507 (DR)
This is a request for design review approval of plans to allow for the installation of batteries in cubes and cores as an alternative to the batteries in buildings, previously approved by City Council Resolution No. 18-13531. The project site covers a 12-acre portion of the 35-acre Empire Business Park parcel located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. Assessor's Parcel No. 085-280-010.

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 for the Crossroads Christian Church Patio Cover at 3840 Railroad Avenue.

STAFF COMMUNICATIONS

COMMITTEE REPORTS / COMMISSION COMMENTS

ADJOURNMENT OF PLANNING COMMISSION MEETING

NOTICE TO PUBLIC

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

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

GENERAL INFORMATION

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

This agenda was posted in City Hall on Thursday, May 21, 2020

MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION

May 12, 2020

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for May 12, 2020 was conducted telephonically through Zoom with broadcasting live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. Council Members participated telephonically or through Zoom and were not physically present in the Council Chamber.

Vice-Chair Moreno called the meeting of the Pittsburg Planning Commission to order at 7:05 p.m. on Tuesday, May 12, 2020, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California via Zoom teleconference.

ROLL CALL

Present: Vice-Chair Moreno, Commissioners Nguyen, Croskey, Coniglio, Bhasin, Robinson

Absent: Chair Foster (absent at roll call due to technical difficulty)

Staff: Community Development Director Jill Hecht, City Engineer Richard Abono, Planning Manager/ Secretary Kristin Pollot, Senior Planner Hector Rojas, Senior Civil Engineer Paul Reinders, Deputy City Clerk Amanda McVey, Administrative Coordinator Shelby Rose

PLEDGE OF ALLEGIANCE

Commissioner Croskey led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

There were no deletions, withdrawals, or continuances.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

CONSENT

1. Minutes of April 28, 2020

On motion by Commissioner Robinson and seconded by Commissioner Croskey to approve the Minutes of April 28, 2020 and carried by the following vote:

AYES: Bhasin, Coniglio, Croskey, Moreno, Nguyen, Robinson,
NAYES: None

ABSTAIN: None
ABSENT: Foster (due to technical difficulty)

Chair Foster joined after the consent vote and dropped off again before item 2 begun.

PUBLIC HEARINGS

2. Century Plaza Shopping Center Pad #7 Remodel, AP-19-1469 (UP, DR, TRP)

A public hearing on a request for: design review approval of plans to remodel an existing approximate 8,000-square-foot single tenant commercial building into three separate tenant spaces with a drive through for the largest space; 2) approval of a use permit to allow a fast-food restaurant with drive-through service; and 3) a tree removal permit to allow removal of four California native redwoods. The site is located on Pad #7 within the Century Plaza Shopping Center, at 4701 Century Boulevard, in the CC (Community Commercial) District. Assessor's Parcel No. 074-460-013.

Senior Planner Rojas gave a presentation on the item.

Chair Foster re-joined the meeting.

Chair Foster opened the public hearing.

Applicants Doug Messner, Louis Parsons, Steve Abrams, Keith Gilbert, Massoud Naraghi, Ed Hale, and Bob Garrison spoke on behalf of his application.

Comments were received through email from the following and were read aloud:

Bruce Ohlson, Pittsburg

There being no one to speak further to the item, Chair Foster closed the public hearing.

On motion by Commissioner Croskey with removal of item #7 from the Conditions of Approval and seconded by Commissioner Coniglio to approve and carried by the following vote:

AYES: Bhasin, Coniglio, Croskey, Moreno, Nguyen, Robinson, Foster
NAYES: None
ABSTAIN: None
ABSENT: None

ZONING ADMINISTRATOR REPORTS

3. The Zoning Administrator submits one resolution previously approved under the delegated authority (Planning Commission Resolution No. 9918).

The Commissioners acknowledged receipt.

STAFF COMMUNICATIONS

Planning Manager / Secretary Pollot suggested the Commission convene to next regular meeting of May 26, 2020.

COMMITTEE REPORTS / COMMISSIONER COMMENTS

There were no reports / comments from the commissioners.

Chair Foster asked Commissioner Coniglio to attend the next Transplan meeting in her place.

ADJOURNMENT

The meeting was adjourned at 7:53 p.m. to May 26, 2020.

Respectfully Submitted,

_____

Kristin Pollot, AICP, Secretary

CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 26, 2020

ITEM: **Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)**

ORIGINATED BY: Amen A. Saleh, 3105 Railroad Avenue Ste A-1, Pittsburg, CA 94565

SUBJECT: This is a continued public hearing on a request for approval of a modification to Condition No. 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of 200ml containers of distilled spirits at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 10145, approving Planning Application No. 20-1500, subject to conditions.

BACKGROUND:

In 2006, the State Department of Alcoholic Beverage Control (ABC) approved a Type 20 license for Dos Cuñados Market. That license authorized the sale of beer and wine at the convenience store for consumption off the premises. In 2018, the store owner and applicant, Amen A. Saleh, requested that ABC upgrade his license to a Type 21, which would authorize the sale of beer, wine, and distilled spirits for consumption off the premises. According to the applicant, the store needed the license to compete with other convenience stores in the neighborhood that already sell beer, wine, and distilled spirits. The convenience store was an existing non-conforming use because it did not have a use permit as required by the Pittsburg Municipal Code (PMC) section 18.52.010. On September 21, 2018 the applicant filed an application for approval of a use permit to allow the Type 21 license.

On January 23, 2019, the Planning Commission adopted Resolution No. 10112, which granted a use permit to allow the sale of beer, wine and distilled spirits at the convenience store for off-site consumption. Condition 5(b) was included in the resolution prohibiting the sale of distilled spirits in containers less than 375 milliliters. According to the applicant, the store is struggling to compete with other convenience stores in the neighborhood that sell distilled spirits in smaller container sizes. There have been no significant code enforcement problems, or any increase in service calls to the Pittsburg Police Department since the sale of distilled spirits has been permitted.

On February 25, 2020 the applicant filed Planning Application No. 20-1500, requesting modification of Condition 5(b) to allow the sale of distilled spirits in containers as small as 200 milliliters.

On April 28, 2020, the Planning Commission held a public hearing to consider the requested use permit modification. At this meeting, staff recommended approval of the request, citing a lack of police service calls to the business. The Planning Commission had questions regarding the establishment of the conditions prohibiting certain products and containers sizes, and their relationship to public health, safety and welfare. As such, the Commission voted to continue the item to a date uncertain, with the direction that staff further investigate the intent of the existing conditions on the use permit, and best practices in other jurisdictions.

PROJECT DESCRIPTION:

Existing Conditions: The subject site is a half-acre parcel located at the north east corner of Railroad Avenue and Mariposa Drive. It contains an 8,758-square-foot, multi-tenant commercial building and an angled parking lot for up to 24 vehicles. Dos Cuñados Market is in Suite A-1, which totals approximately 950 square feet. The current convenience store layout includes a cashier's counter and refrigerator to the right of the store entrance and store shelves for groceries and convenience items to the left. A storage area, bathroom, and janitor's sink are located at the back of the store. Other current tenants of the building include Black Diamond Vape Shop & More, Eleven Mag Body Art, Augie's Barber Shoppe, Farmer's Insurance, Paris Salon, C&C Bookkeeping & Tax Services, Nueva Imagen Salon, and Club a Tu Ritmo.

Surrounding Land Uses:

North:	Contra Costa Canal, Atlantic Plaza Shopping Center
West:	Superior Car Wash, Chevron Gas Station
South:	Pittsburg Auto Liquidators
East:	El Dorado Heights Residential Subdivision

See Attachment 4 for a map of surrounding uses.

Use Permit Modification Request: The applicant is requesting approval of a modification of an approved use permit (Planning Commission Resolution No. 10112), in order to allow the sale of distilled spirits in bottles as small as 200ml. Condition 5(b) from the previously approved resolution set a minimum limit of 375ml sized bottles of distilled spirits.

See Attachment 5 for plans showing existing site and store conditions.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The subject site is located in the 'Railroad Subarea' of the General Plan and has a land use designation of 'Community Commercial'. This designation is intended to provide sites for retail shopping containing a wide variety of businesses, including convenience stores with alcoholic beverage sales.

Zoning: The subject site is zoned 'CN (Neighborhood Commercial) District'. Convenience stores fall under the land use classification of 'Grocery' as defined by Pittsburg Municipal Code (PMC) sections 18.08.070(12)(a). A use permit is required prior to operating a grocery or convenience store in the CN District (PMC section 18.52.010). The applicant obtained a use permit in 2019, when they expanded the non-conforming existing use to include the sale of distilled spirits for consumption off the premises.

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

1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;

2. is not detrimental to the health, safety, and general welfare of the City;

3. will not adversely affect the orderly development of property within the City;

4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;

5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;

6. will not create a nuisance or enforcement problem within the neighborhood;

7. will not encourage marginal development within the neighborhood;

8. will not create a demand for public services within the City beyond that of the ability of the City to meet in light of taxation and spending restraints imposed by law;

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

10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

Environmental: This proposal is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301.

Public Notice: On or prior to May 16, 2020, notice of the May 26, 2020, continued public hearing was posted at City Hall, 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 proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with 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 "Atherton Ave", "Upper Diamond", "Delta Hawaii", and "Rolling Hills Park" Nextdoor neighborhoods.

ANALYSIS:

Based on the direction provided from the Planning Commission at the previous hearing, staff has further investigated best practices in Contra Costa County, and the intent of the original condition limiting the container sizes for distilled spirits. The Contra Costa County Board of Supervisors adopted Ordinance No. 2002-33 on October 22, 2002, to require land use permits for newly established 'Alcoholic Beverage Sales Commercial Activities', to confer 'Deemed Approved Status' for existing Alcoholic Beverage Sales Commercial Activities, and to provide standards and an administrative hearing process to review violations of those standards, in order to protect the general health and welfare of the residents of the County and to prevent nuisance activities where alcoholic beverage sales occur. The ordinance places distance restrictions on the location of new Alcoholic Beverage Sales Commercial Activities, relative to other such establishments, as well as to schools, parks, and other public facilities. The ordinance also requires two additional findings for new Alcoholic Beverage Sales Commercial Activities; (a) a finding of "public convenience and necessity" (Bus. & Prof. Code 23958.4(b)(2)), if the activity will be located in an area that has been determined by the State of California Department of Alcoholic Beverage Control to have an undue concentration of licenses as defined in Business and Professions Code section 23958.4(a), and (b) a finding that the Alcoholic Beverage Sales Commercial Activity will not aggravate existing problems in the neighborhood created by the sale of alcohol such as loitering, public drunkenness, alcoholic beverage sales to minors, noise and littering. The ordinance states that reasonable conditions of approval may be imposed on a new application, and lists suggested conditions of approval, including the prohibition of certain products. These prohibitions are intended to discourage nuisance activities and include limiting the sale of wine or distilled spirits in containers of less than 750 milliliters, and the sale of distilled spirits in bottles or containers smaller than 375 milliliters. These conditions are not a set requirement for every Alcoholic Beverage Sales Commercial Activity in the County, but may be imposed to limit potential nuisance from a new business, or on an existing business that has received complaints from the general public or the Sheriff's Department.

While that County has set a clear policy for its unincorporated areas relating to the permitting of alcoholic beverage selling establishments, it is important to note that such a policy has not previously be set by the City Council in the City of Pittsburg. Further, in reviewing past approvals from the last 12 years for various establishments that sell alcohol in Pittsburg, staff has found that no other businesses have had conditions that

have been as restrictive on distilled spirits (see Attachment 6 for a summary of relevant past approvals).

In addition, staff conducted further independent research on the topic, locating academic studies that have been conducted and have found reductions in crime in cities that have enacted restrictions on single serve alcohol beverage containers (see Attachment 7). The attached study primarily looked at the sale of malt liquor products in urban areas, and the effects of legal restrictions on their sale in such communities, such as the prohibition of single containers or split/broken packages. Another study looked into community conditions that facilitate underage and binge drinking, and found that price, access and availability are all contributing factors (see Attachment 8). Parallels can be made in the availability of single serve malt liquor containers, and small container distilled spirits, based on the similar price point of both products and the effect of their consumption. Smaller containers of distilled spirits, such as 200ml, would be available at a lower price point than 375ml or larger containers.

The applicant believes they are losing customers to other convenience stores in the area that sell distilled spirits in smaller bottle sizes. Within the area's census tract (33131.01), there are a total of 12 off-site alcohol beverage selling establishments, including nine with Type 21 ABC licenses, of which four are convenience stores similar in size to Dos Cuñados Market. These include Vintage Liquors (1339 Buchanan Road), Rice Wine Liquors (147 Atlantic Avenue), Pittsburg Liquor and Deli (2279 Railroad Avenue), and Amigos Market & Liquor (3801 Railroad Avenue). All these stores have active Type 21 ABC licenses and are authorized to sell beer, wine, and distilled spirits for consumption off site, with no size limitations for distilled spirits. As noted at the previous hearing, since the issuance of a Type 21 ABC license, Pittsburg Police Department has not experienced an increase in service calls to Dos Cuñados Market. Dos Cuñados has in fact received far fewer service calls than the other liquor stores in the area. The applicant has complied with the conditions of the previous approval, and the applicant has kept the site clean and nuisance free.

Staff concurs that the condition limiting the sale of distilled spirits in containers less than 375ml can have a net positive effect in reducing neighborhood nuisances. Staff also concurs that the applicant has been operating in compliance within the conditions of approval and believes he would continue to do so should the Commission approve the sale of distilled spirits in containers of 200ml. If a change in ownership were to occur, and the use was not discontinued for a period of nine months or greater, the use permit would remain active with the conditions of approval set forth in the resolution. However, a background check would still be required with a new business permit, the new owner would be required to go through the ABC license process, and the Police Department would reserve the right to amend the conditions of the ABC license. The use permit may also be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, or other adverse operating characteristics, including causing or allowing a nuisance in connection with the premises. At such time, the Commission would have the ability to revoke the use permit or add/modify conditions of approval.

In granting or denying this application, the Planning Commission should consider whether this modification would be detrimental to the health, safety and general welfare of the city, or would create a nuisance or enforcement problem within the neighborhood.

Should the Planning Commission wish to grant the modification, Staff recommends all previous conditions, with the exception of the modified Condition 5(b), are carried forward from the previous use permit (Planning Commission Resolution No. 10112). Those conditions, to which the applicant has previously agreed to and has been operating under include: 1) prohibiting the possession and consumption of alcoholic beverages in open containers on or around the premises; 2) limiting the sales hours for alcoholic beverages to the hours of 7:00 a.m. to 10:00 p.m., daily; 3) requiring sales clerks to complete a course in "responsible beverage service training" approved by ABC; 4) limiting the new display area for distilled spirits to 32 linear feet of shelving; 5) requiring unobstructed view of the cash register area from the street; 6) requiring installation of security cameras; 7) requiring the convenience store operators to help discourage loitering; 8) prohibiting the sale of drug paraphernalia; 9) requiring the operators to remove trash outside the convenience store on a daily basis; and 10) requiring all graffiti to be removed within 48 hours of its appearance.

ACTION REQUIRED:

Either:

1) Move to adopt Resolution No. 10145, ***approving*** Planning Application No. 20-1500, subject to conditions, or

2) Move to adopt Resolution No. 10145, ***denying*** Planning Application No. 20-1500, without prejudice.

ATTACHMENTS:

1. Proposed Resolution Approving the Project
2. Proposed Resolution Denying the Project
3. Previously Approved Planning Commission Resolution No. 10112
4. Map of Surrounding Uses
5. Site Plan
6. Past Alcohol Approvals Chart
7. Abstract of Study "The Impact of Single-Container Malt Liquor Sales Restrictions on Urban Crime"
8. Research Publication "Policy Strategies to Reduce Underage Drinking"
9. Alcohol Bottle Size Chart
10. Petition for Use Permit Modification Submitted by Applicant
11. Continued Public Hearing Notice & Vicinity Map

Prepared by: John Dacey, AICP, Assistant Planner

Attachment 1

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting a Modification to Condition No. 5(b) of an Approved Resolution No. 10112, in Order to Allow the Sale of Distilled Spirits in 200 Milliliter Containers at an Existing Convenience Store at 3105 Railroad Avenue, Suite A-1, for "Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)."	)	Resolution No. 10145

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

Section 1. Background

A. On February 20, 2020, Amen A. Saleh of Dos Cuñados Market, filed Planning Application No. 20-1500, requesting approval of a modification to Condition No. 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of distilled spirits in 200ml containers, at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

B. On January 23, 2019, the Planning Commission adopted Resolution No. 10112, which granted a use permit to allow the sale of beer, wine and distilled spirits at a convenience store for off-site consumption.

C. The use permit proposal is governed by the Pittsburg General Plan and Pittsburg Municipal Code (PMC).

D. This proposal is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301.

E. On April 28, 2020, the Planning Commission held a public hearing and considered a request by the applicant for the modification of Condition 5(b) to allow the sale of distilled spirits in containers as small as 200 milliliters. At this meeting, staff recommended approval of the request, citing a lack of police service calls to the business. The Planning Commission had questions regarding the establishment of the conditions prohibiting certain products and containers sizes, and their relationship to public health, safety and welfare. As such, the Commission voted to continue the item to a date uncertain, with the direction that staff further investigate the intent of the existing conditions on the use permit, and best practices in other jurisdictions.

F. On or prior to May 16, 2020, notice of the May 26, 2020, continued public hearing was posted at City Hall, 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 proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Atherton Ave", "Upper Diamond", "Delta Hawaii", and "Rolling Hills Park" Nextdoor neighborhoods.

G. On May 26, 2020, the Planning Commission held a continued public hearing on Planning Application No. 20-1500, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, "Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. The use permit modification proposal 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 convenience stores with alcoholic beverage sales are conditionally permitted uses in the CN District and allowing the sale of distilled spirits in 200ml containers would ensure the continued success of the convenience store.

b) Not be detrimental to the health, safety, and general welfare of the City, if the applicant continues to comply with the previously adopted conditions of approval, including, but not limited to the following: 1) prohibiting the possession and consumption of alcoholic beverages in open containers on or around the premises; 2) limiting the sales hours for alcoholic beverages; 3) requiring sales clerks to complete a course in "responsible beverage service training" approved by the State Department of Alcoholic Beverage Control (ABC); 4) prohibiting the sale of certain alcoholic beverages including those in smaller containers; 5) limiting the display area for distilled spirits; 6) requiring unobstructed view of the cash register area from the street; 7) requiring installation of security cameras; 8) requiring the convenience store operators to help discourage loitering; 9)

prohibiting the sale of drug paraphernalia; 10) requiring the operators to remove trash outside the convenience store on a daily basis; and 11) requiring all graffiti to be removed within 48 hours of its appearance.

c) Will not adversely affect the orderly development of property within the City, in that the convenience store will continue occupying an existing commercial space, and the applicant is proposing no exterior building expansions or parking lot changes that would otherwise conflict with the City's goals, policies, and development standards.

d) Not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, if the convenience store operator continues to comply with the previously adopted conditions of approval summarized above. The conditions of approval are intended to ensure the convenience store operates in a manner that does not affect neighborhood safety.

e) Will be consistent with the General Plan. The subject site has a land use designation of 'Community Commercial'. This designation is intended to provide sites for retail shopping containing a wide variety of businesses, including convenience stores with alcoholic beverage sales.

f) Will not create a nuisance or enforcement problem within the neighborhood, if it continues to comply with the previously adopted conditions of approval summarized above, as well as the 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 convenience store will continue occupying an existing commercial space and the use permit proposal 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 convenience store has access to existing infrastructure, including fire, police, and water.

i) Will not be inconsistent with the City's approved funding priorities, in that it does not require City funding.

j) Will not be located in the Pedestrian Commercial (CP) District.

B. The staff report entitled, "Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)," dated May 26, 2020, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Planning Application No. 20-1500, subject to the following conditions:

1. All conditions from Planning Commission Resolution No. 10112 shall remain in effect for this business, with the exception of Condition No. 5(b) and Condition No. 21 (Expiration of Approval).

2. The sale of Distilled Spirits shall be prohibited in containers less than 200 milliliters.

3. Expiration of Approval: This use permit shall expire on May 26, 2021, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.

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 26th day of May 2020, 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. 10145 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2020

_____
KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Attachment 2

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Denying a Modification to Condition No. 5(b) of an Approved Resolution No. 10112, in Order to Allow the Sale of Distilled Spirits in 200 Milliliter Containers at an Existing Convenience Store at 3105 Railroad Avenue, Suite A-1, for "Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)."	)	Resolution No. 10145

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

Section 1. Background

A. On February 20, 2020, Amen A. Saleh of Dos Cuñados Market, filed Planning Application No. 20-1500, requesting approval of a modification to Condition No. 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of distilled spirits in 200ml containers, at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

B. On January 23, 2019, the Planning Commission adopted Resolution No. 10112, which granted a use permit to allow the sale of beer, wine and distilled spirits at a convenience store for off-site consumption.

C. The use permit proposal is governed by the Pittsburg General Plan and Pittsburg Municipal Code (PMC).

D. This proposal is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301.

E. On April 28, 2020 the Planning Commission held a public hearing and considered a request by the applicant for the modification of Condition 5(b) to allow the sale of distilled spirits in containers as small as 200 milliliters. At this meeting, staff recommended approval of the request, citing a lack of police service calls to the business. The Planning Commission had questions regarding the establishment of the conditions prohibiting certain products and containers sizes, and their relationship to public health, safety and welfare. As such, the Commission voted to continue the item to a date uncertain, with the direct that staff further investigate the intent of the existing conditions on the use permit, and best practices in other jurisdictions.

F. On or prior to May 16, 2020, notice of the May 26, 2020, continued public hearing was posted at City Hall, 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 proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Atherton Ave", "Upper Diamond", "Delta Hawaii", and "Rolling Hills Park" Nextdoor neighborhoods.

G. On May 26, 2020, the Planning Commission held a continued public hearing on Planning Application No. 20-1500, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, "Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. The use permit modification proposal:

a) Will be detrimental to the health, safety, and general welfare of the City, in that the sale of 200ml containers of distilled spirits presents a tipping point that could lead to potentially more criminal activities and violence in the community. The condition maintaining a limit of 375ml on distilled spirits originates from the Contra Costa County alcohol ordinance, as a condition available to minimize nuisance. Studies have shown that single serve alcohol containers can lead to an increase in criminal activities in urban areas. As staff noted in the January 23, 2019, hearing on the use permit application, there is a prevalence of homeless individuals in the vicinity, and less expensive portions of hard liquor would be more accessible to the homeless, some of whom have substance abuse challenges.

b) Will create a nuisance or enforcement problem within the neighborhood, as smaller containers are more likely to be abused and can lead to localized criminal activities such as loitering and violence. Studies have shown that restrictions on single-serve alcoholic containers have led to decreases in local crime rates. As also previously noted, there is a prevalence of homeless individuals in the vicinity, and less expensive portions of hard liquor would be

more accessible to the homeless, some of whom have substance abuse challenges.

B. The staff report entitled, “Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP),” dated May 26, 2020, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby denies Planning Application No. 20-1500, without prejudice.

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 26th day of May 2020, 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. 10145 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2020

_____
KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

701.03

PC RESO

10112

1-23-19

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

Date: 1/28/19

Dear Applicant:

SUBJECT: RESOLUTION No. 10112

Enclosed is a copy of the resolution adopted by the Planning Commission. A copy of our Standard Conditions of Development is also included. Please read the enclosed documents and retain them for your files. All conditions of approval shall be incorporated into subsequent plan submittals and construction documents, where appropriate.

The enclosed resolution is valid for a limited period of time as specified in the resolution. Please make a note of the applicable expiration date and plan your construction timeline accordingly to avoid the loss of your entitlements.

If you have any questions about the enclosed resolution, please contact the Planning Division at the number listed above.

Sincerely,

Kristin Pollot, AICP
Planning Manager

Enclosures: (2) Resolution No. 10112
Standard Conditions of Development

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting a Use Permit to Allow the Sale of Beer, Wine, and Distilled Spirits at 3105 Railroad Avenue, Suite A-1, for "Dos Cuñados Market, AP-18-1372 (UP)."	)))))	Resolution No. 10112

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

Section 1. Background

A. On September 21, 2018, Amen A. Saleh filed Planning Application No. 18-1372, requesting approval of a use permit to sell beer, wine, and distilled spirits at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-065-026.

B. The use permit proposal is governed by the Pittsburg General Plan and Pittsburg Municipal Code (PMC).

C. This proposal is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, 'Existing Facilities' of the state CEQA Guidelines, section 15301.

D. On or prior to January 11, 2019, notice of the January 23, 2019 public hearing was posted at City Hall, near the proposed project site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the building, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091.

E. On January 23, 2019, the Planning Commission held a public hearing on Planning Application No. 18-1372, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, "Dos Cuñados Market, AP-18-1372 (UP)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. The use permit proposal 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 convenience stores with alcoholic beverage sales are conditionally permitted uses in the CN District.

   b) Not be detrimental to the health, safety, and general welfare of the City, if conditions of approval are adopted, including, but not limited to the following: 1) prohibiting the possession and consumption of alcoholic beverages in open containers on or around the premises; 2) limiting the sales hours for alcoholic beverages; 3) requiring sales clerks to complete a course in "responsible beverage service training" approved by the State Department of Alcoholic Beverage Control (ABC); 4) prohibiting the sale of certain alcoholic beverages including those in smaller containers; 5) limiting the display area for distilled spirits; 6) requiring unobstructed view of the cash register area from the street; 7) requiring installation of security cameras; 8) requiring the convenience store operators to help discourage loitering; 9) prohibiting the sale of drug paraphernalia; 10) requiring the operators to remove trash outside the convenience store on a daily basis; and 11) requiring all graffiti to be removed within 48 hours of its appearance.

   c) Will not adversely affect the orderly development of property within the City, in that the convenience store will continue occupying an existing commercial space, and the applicant is proposing no exterior building expansions or parking lot changes that would otherwise conflict with the City's goals, policies, and development standards.

   d) Not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, if the convenience store operator complies with the conditions of approval summarized above. The conditions of approval are intended to ensure the convenience store operates in a manner that does not affect neighborhood safety. According to ABC, the neighborhood is not considered a high-crime area.

   e) Will be consistent with the General Plan. The subject site has a land use designation of 'Community Commercial'. This designation is intended to provide sites for retail shopping containing a wide variety of businesses, including convenience stores with alcoholic beverage sales.

   f) Will not create a nuisance or enforcement problem within the neighborhood, in that it will be required to meet performance standards, as set forth by PMC chapter 18.82, which are intended to address ongoing safety, noise, odor, and maintenance concerns.

   g) Will not encourage marginal development within the neighborhood, in that the convenience store will continue occupying an existing commercial space and the

use permit proposal 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 convenience store has access to existing infrastructure, including fire, police, and water.

i) Will not be inconsistent with the City's approved funding priorities, in that it does not require City funding.

B. The staff report entitled, "Dos Cuñados Market, AP-18-1372 (UP)," dated January 23, 2019, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Planning Application No. 18-1372, subject to the following conditions:

1. ABC Approval: The business operator shall obtain California Department of Alcoholic Beverage Control (ABC) approval of an off sale general (Type 21) license prior to the sale of any distilled spirts.

2. Possession and Consumption: The possession of alcoholic beverages in open containers and the consumption of alcoholic beverages are prohibited on or around the premises.

3. Sales Hours: Alcoholic beverage sales shall not occur between the hours of 10:00 p.m. and 7:00 a.m.

4. Employee Training: All sales clerks shall complete an ABC approved course in "responsible beverage service training" within 90 days of the beginning of employment. Evidence of the employee's completion of this training shall be provided to the Pittsburg Police Department upon request.

5. Prohibited Products: The sale of the following products shall be prohibited:

   a. Wine in containers less than 750 milliliters.

   b. Distilled spirits in containers less than 375 milliliters.

   c. Malt beverage products, including flavored malt beverage products, with alcohol content greater than 5.5% by volume. A 'flavored malt beverage' product is a malt beverage product to which is added an alcoholic or other flavoring ingredient and is labeled or packaged in a manner that is similar to labeling or packaging used for non-alcoholic beverages such as sodas, teas, lemonades, fruit punches, energy drinks, and slushes. Youth-oriented flavored malt beverage products are sold in bright, colorful packaging and are commonly known as 'alcopops'.

d. Wine with an alcoholic content greater than 14% by volume unless in corked bottles and aged at least two years.

e. Single containers of beer or malt liquor less than 24 ounces.

f. Cooler products, either wine- or malt-beverage-based, in less than three-pack quantities.

g. Alcohol-infused ice cream or ice pops with alcohol greater than 0.5 percent by volume.

6. Distilled Spirits Display Area: At no time shall there be more than 32 linear feet of shelving within the convenience store sales area that is devoted to the sale and/or display of distilled spirits.

7. Cups: The sale or distribution to the customer of paper or plastic cups in quantities less than their usual and customary packaging is prohibited.

8. Cash Register Visibility: Windows shall allow for unobstructed interior view of the cash register area from the street.

9. Advertising: Signage advertising the availability of alcohol for purchase from the store, including display of corporate logos of alcohol vendors, shall not be posted so as to be visible to any individual positioned outside of the store.

10. Signage: The following signs shall be placed in a prominent location near the main entrance of the building in English, Spanish, and the predominant language of patrons. The signs shall be at least one square foot in size, or larger as necessary to ensure that the text of the sign is legible at a minimum distance of five feet.

    a. "California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age";

    b. "No Loitering or Public Drinking"; and

    c. "It is illegal to possess an open container of alcohol in the vicinity of this establishment".

11. Security Cameras: The applicant shall install security cameras around the site and shall cooperate with the Pittsburg Police Department to: a) install the cameras on-site and in the building in a quantity and at locations that optimize the safety of customers and employees on the property; and b) ensure that the Pittsburg Police Department establishes and is provided continuous access to live and recorded feed from the security cameras installed on-site.

12. Loitering: The establishment's operators shall discourage loiterers and ask persons loitering longer than 15 minutes to leave the area and contact Pittsburg Police for enforcement of applicable trespassing and loitering laws if the persons requested to leave fail to do so.

13. Additional Security Measures: The business operator shall be responsible for maintaining the peace and order on the premises. All necessary steps shall be taken to ensure that the customers refrain from incidents of violence and/or intoxication that adversely impact the safety of the community. Should the business experience loitering, noise, public disturbances or incidents of violence, and in the event that the business necessitates an increased police presence, the Chief of Police may require the business operator to provide additional public safety measures, including but not limited to, video cameras, additional exterior lighting, hiring licensed and bonded security guards approved by the Police Department, or such other measures as determined necessary by the Chief of Police. Any such required additional measures shall be at the business operator's sole expense.

14. License Transfer: In accordance with California Business and Professions Code subsection 23800(E), and upon application for transfer of ownership of the ABC license, the Pittsburg Police Department shall reserve the right to amend the conditions of the ABC license.

15. Drug Paraphernalia: The sale of drug paraphernalia products as defined in Health and Safety Code sections 11014.5 and 11364.5 shall be prohibited. "Drug paraphernalia" means all equipment, products and materials of any kind that are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the California Uniform Controlled Substances Act (commencing with California Health and Safety Code 11000).

16. Trash Receptacles: Trash receptacles shall be located at convenient locations outside the establishment, and operators of the business shall remove trash on a daily basis.

17. Graffiti Removal: All graffiti shall be removed on any part of the property within 48 hours of its appearance.

18. Standard Conditions of Development: The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.

19. Other Agency Requirements: The applicant shall comply with all the requirements of the City's Community Development Department, California Department of Alcoholic Beverage Control, 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.

20. Indemnification: Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the

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

21. Expiration of Approval: This use permit shall expire on January 23, 2020, unless the use has been legally established prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner S. Foster, seconded by Commissioner Robinson, the foregoing resolution was passed and adopted the 23rd day of January 2019, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Coniglio, S. Foster, Robinson

NAYES: D. Foster, Linde

ABSTAIN: None

ABSENT: Fields, Ward

I hereby certify that the above Resolution No. 10112 was adopted by the Planning Commission of the City of Pittsburg on January 23, 2019.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

STANDARD CONDITIONS OF DEVELOPMENT

(Planning Commission Resolution No. 8931)

All projects approved by the Planning Commission must meet the following standard conditions unless specifically exempted by the Commission or Council.

A. Project Site.

1. The applicant shall comply with all regulations and code requirements of the Building Division, Engineering Division, Contra Costa Fire Protection District, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.

2. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.

3. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities. Nonpotable water shall be used from a source approved by the City Engineer. (Title 15 of PMC)

4. Continuous 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Pittsburg Standard Details. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb."

5. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.

6. Developer shall submit a study addressing on and off-site storm water and sewer system capabilities. If the study indicates that the present system is inadequate, the developer must provide plans and install any additional storm water and sanitary and sanitary sewer facilities including off-site improvements to correct storm water runoff and sanitary sewer demands anticipated for upstream buildout in accordance with the Pittsburg General Plan.

7. Environmental and engineering studies, as directed by the Planning and Building Director, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.

8. Developer shall underground existing and required on and off-site utilities as specified in Chapter 17 of the Municipal Code or as deemed necessary by the City Engineer.

9. All site development shall comply with title 12 (Streets, Sidewalks and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.

10. The CC&R's shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the

owner and prohibit parking on the public street for long than 72 hours.

11. All retaining wall adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Planning Division.

12. The design of any masonry soundwall shall be approved by the Planning and Building Department. It shall match or harmonize with existing soundwalls of neighboring projects along that street.

B. Architecture.

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.

2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access. The enclosure shall have materials and colors consistent with the primary building.

3. All vents, gutters, downspouts, flashing electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.

4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.

5. Finish quality of exterior design elements including, but not limited to, building façades and landscaping shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.

C. Landscaping.

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to Certificate of Occupancy.

2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.

3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.

4. All slope banks in excess of five (5) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of eight (8) feet in vertical eight and 2:1 or greater slope also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.

5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required

irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.

D. General Requirements

1. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.

2. The applicant shall defend, indemnify and hold harmless the City of Pittsburg, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner. In the event the city becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action, or proceeding, it both the following occur: (a) the City bears its own attorneys' fees and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the applicant approves the settlement.

3. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.

4. The applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, which will demonstrate any remedial action necessary to abate the deficiency and shall take all necessary actions at the applicant's expense.

5. This use permit may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the use permit or add/modify conditions approval.

6. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.

7. All signs shall be submitted to the Planning Division for design review per Title 19 of the Pittsburg Municipal Code.

8. All landscape areas shall be maintained in a healthy, thriving and weed free condition.

9. The site shall be maintained in a neat and clean manner free of trash and debris.

10. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.

11. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Parking Standards 18.78.050 (F) and Performance Standards 18.82.030 (B) and shall compliment the site and building architecture.

12. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was build (As-Builts) at the discretion of the Planning and Building Director.

E. Standard Conditions of Approval Requiring Minimum Construction Site Management Practices

1. (Projects involving land disturbances of less than five (5) acres) – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

or

2. (Projects involving land disturbances of five (5) acres or more) – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent the State Water Resources Control Board and the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.

3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best Management Practice Handbook for storm water run-ff for commercial and industrial sites. Storm drains will be inspected periodically. Questions may be referred to City NPDES Coordinator, at 252-4920.

Attachment 4

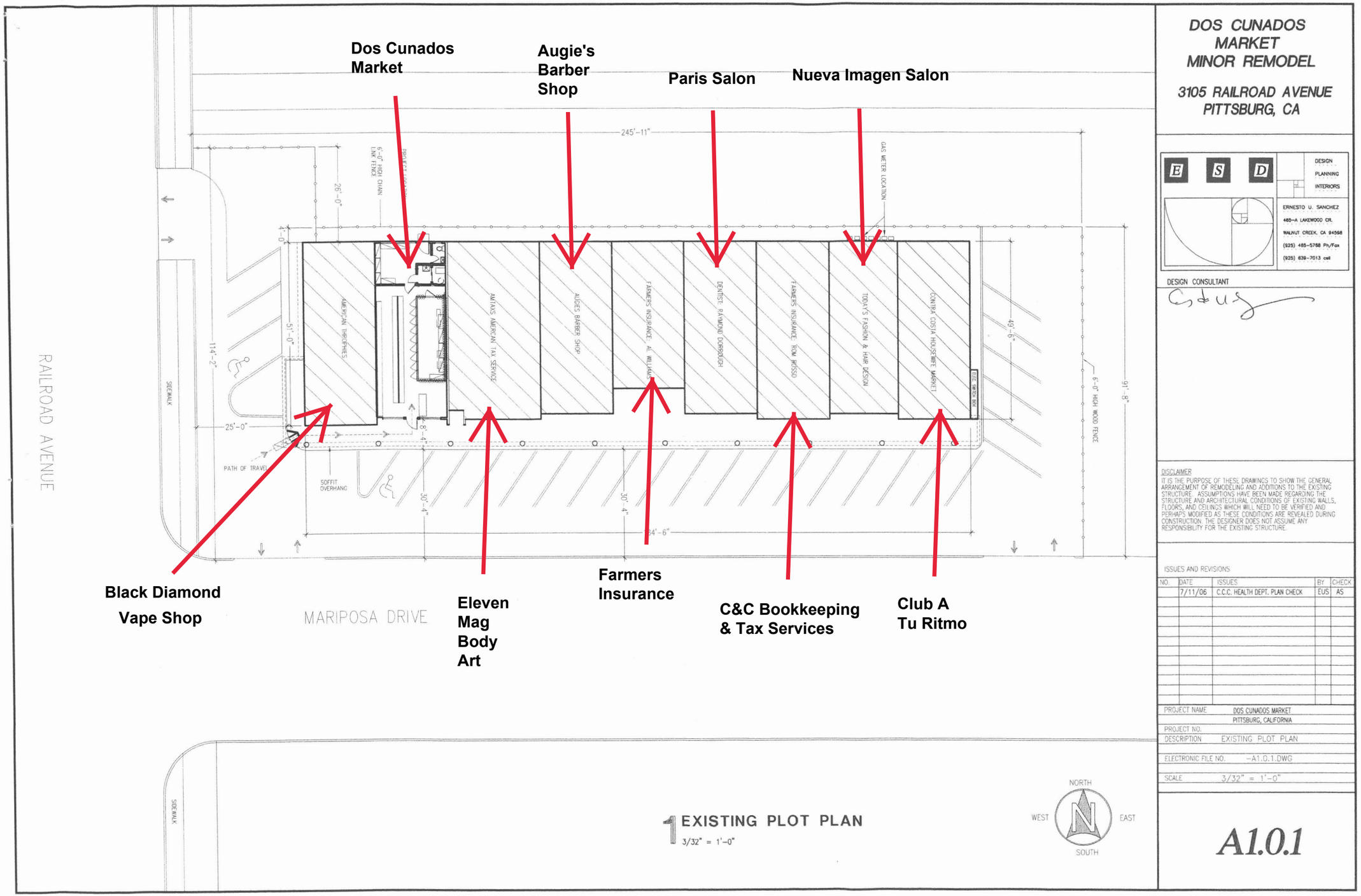
Map of Surrounding Uses

Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)

Project Site



Attachment 5



1 EXISTING PLOT PLAN
3/32" = 1'-0"

DOS CUNADOS MARKET
MINOR REMODEL

3105 RAILROAD AVENUE
PITTSBURG, CA

E S D
DESIGN
PLANNING
INTERIORS

ERNESTO U. SANCHEZ
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DESIGN CONSULTANT

DISCLAIMER
IT IS THE PURPOSE OF THESE DRAWINGS TO SHOW THE GENERAL ARRANGEMENT OF REMODELING AND ADDITIONS TO THE EXISTING STRUCTURE. ASSUMPTIONS HAVE BEEN MADE REGARDING THE STRUCTURE AND ARCHITECTURAL CONDITIONS OF EXISTING WALLS, FLOORS, AND CEILINGS WHICH WILL NEED TO BE VERIFIED AND PERHAPS MODIFIED AS THESE CONDITIONS ARE REVEALED DURING CONSTRUCTION. THE DESIGNER DOES NOT ASSUME ANY RESPONSIBILITY FOR THE EXISTING STRUCTURE.

ISSUES AND REVISIONS

NO.	DATE	ISSUES	BY	CHECK
	7/11/06	C.C.C. HEALTH DEPT. PLAN CHECK	EUS	AS

PROJECT NAME	DOS CUNADOS MARKET PITTSBURG, CALIFORNIA
PROJECT NO.	
DESCRIPTION	EXISTING PLOT PLAN
ELECTRONIC FILE NO.	-A1.0.1.DWG
SCALE	3/32" = 1'-0"

A1.0.1

LEGEND

NEW 2x WOOD STUD WALLS

(E) WALLS

(E) WATER HEATER FOR:
1) REST ROOM SINK
2) MOP SINK
3) SPECS:

RICHMOND MISE
MODEL # 5V30-6
A21952 GLASS LINED
CP U.S. GALS. 30

INPUT BTUH: 342,000
TYPE: GAS
1ST HOUR RATING: 53 GALS.

KEY NOTES

1. STOREFRONT, GLAZING & ENTRY TO REMAIN, TYPICAL
2. WALK-IN BOX NOT IN CONTRACT TO BE INSTALLED BY VENDOR
3. WATER HEATER ON 6" LEGS SEE EQUIPMENT SCHEDULE SHEET A3.1
4. WALK-IN BOX VENDOR TO VERIFY AND COORDINATE ALL UTILITY PENETRATIONS THROUGH ROOF

HEALTH NOTES

STRUCTURAL
-FULLY ENCLOSED BUILDING & VERMIN PROOF

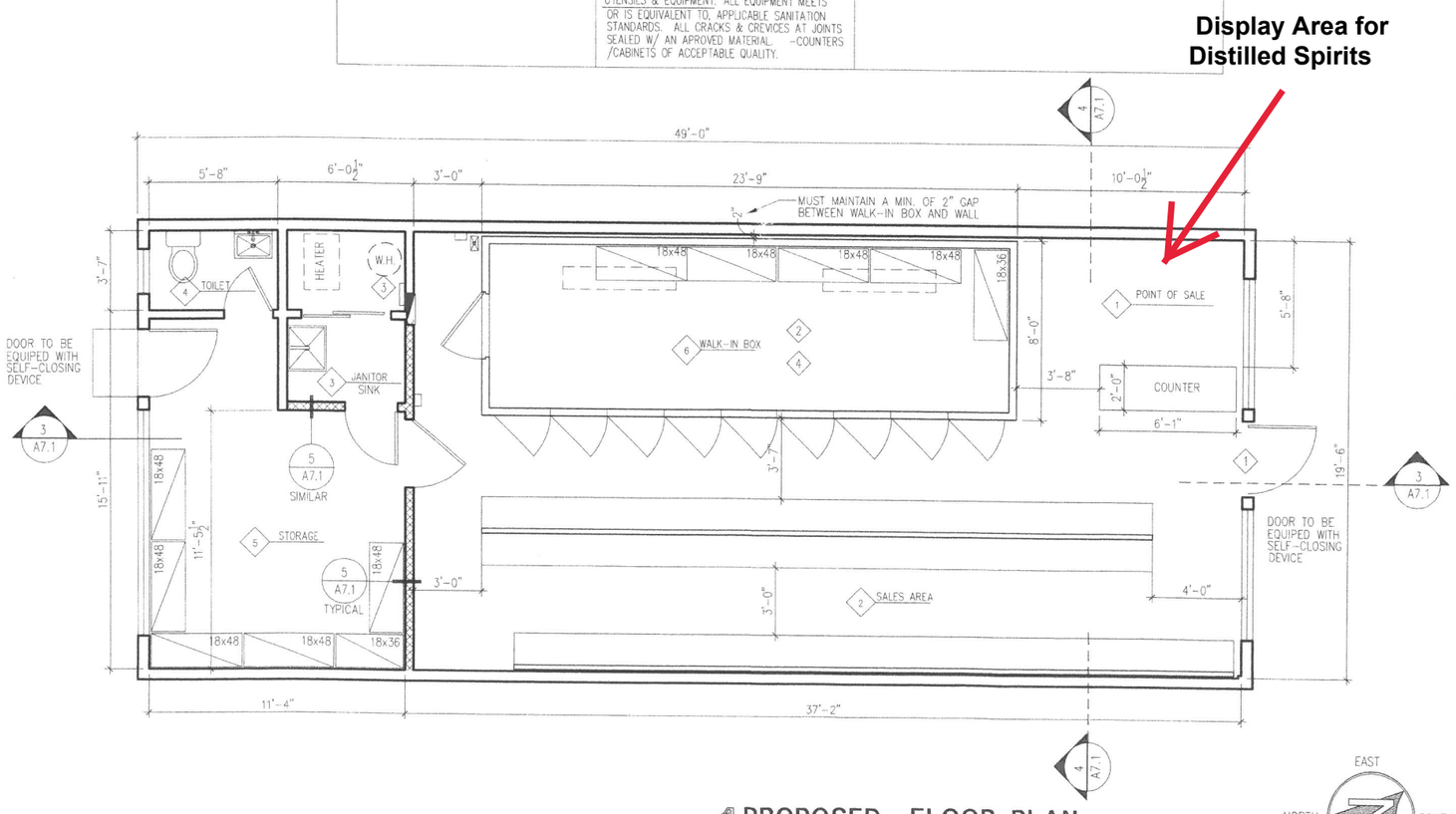
WALLS:
-LIGHT IN COLOR THROUGHOUT
(NOTE: LIGHT COLORED MEANS HAVING A LIGHT REFLECTANCE VALUE (LRV) OF 70% OR GREATER

LIGHTING:
-SUFFICIENT NATURAL OR ARTIFICIAL LIGHTING I.E. 20 FT. CANDLES 30" ABOVE THE FLOOR. LIGHT FIXTURES SHALL BE SHATTERPROOF OR W/ SHATTERPROOF SHIELDS AND EASILY CLEANABLE

UTENSILS & EQUIPMENT: ALL EQUIPMENT MEETS OR IS EQUIVALENT TO, APPLICABLE SANITATION STANDARDS. ALL CRACKS & CREVICES AT JOINTS SEALED W/ AN APROVED MATERIAL. -COUNTERS /CABINETS OF ACCEPTABLE QUALITY.

SHEET NOTES

1. PROVIDE, ERECT AND MAINTAIN BARRICADES, LIGHTING AND GUARD RAILS AS REQUIRED BY APPLICABLE REGULATORY ADVISORY TO TO PROTECT OCCUPANTS OF BUILDING, WORKERS AND PEDESTRIANS
2. CEASE OPERATIONS AND NOTIFY THE OWNER IMMEDIATELY IF SAFETY OF STRUCTURE APPEARS TO BE ENDANGERED. TAKE PRECAUTIONS TO PROPERLY SUPPORT STRUCTURE. DO NOT RESUME OPERATION UNTIL SAFETY IS RESTORED.
3. ARRANGE AND PAY FOR DISCONNECTING, REMOVING AND CAPPING UTILITY SERVICES WITHIN AREAS OF DEMOLITION. DISCONNECT AND STUB OFF. NOTIFY THE AFFECTED UTILITY COMPANY AND BUILDING MANAGER IN ADVANCE AND OBTAIN APPROVAL BEFORE STARTING THIS WORK.
4. ALL ENCLOSING UTILITIES, PIPES, LINES, & CONDUITS WHICH ARE TO REMAIN SHALL BE CONCEALED WITHIN FLORS, WALLS, OR CEILINGS.
5. ALL EXTERIOR DOORS TO BE EQUIPED WITH SELF-CLOSING DEVICE



1 PROPOSED FLOOR PLAN

1/4" = 1'-0"

EAST
NORTH
SOUTH
WEST

DOS CUNADOS MARKET MINOR REMODEL

3105 RAILROAD AVENUE
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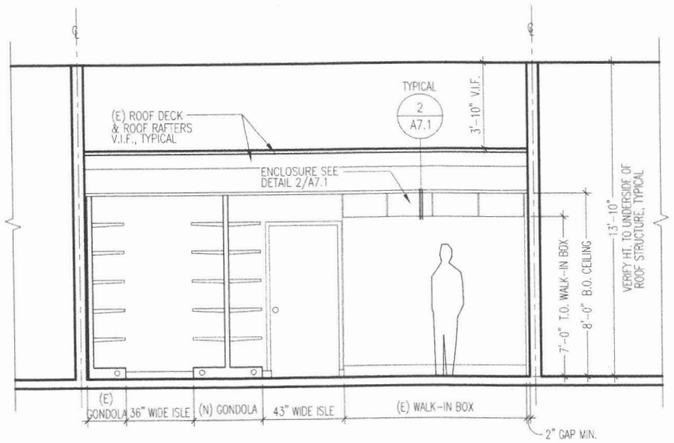
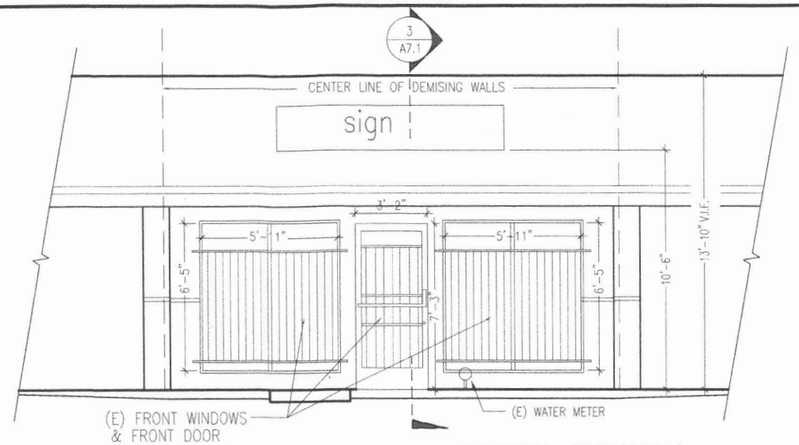
PROJECT NAME: DOS CUNADOS MARKET
PITTSBURG, CALIFORNIA
PROJECT NO.:
DESCRIPTION: PROPOSED FLOOR PLAN
ELECTRONIC FILE NO.: -A2.1.DWG
SCALE: 1/4" = 1'-0"

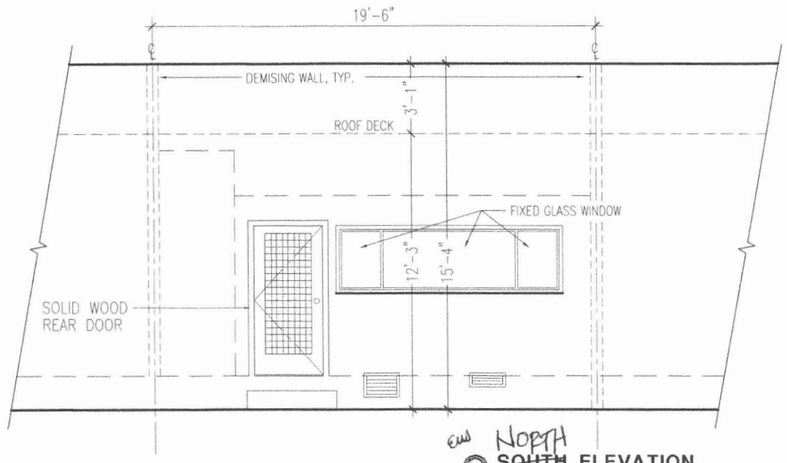
A2.1



4 CROSS SECTION
1/4" = 1'-0"

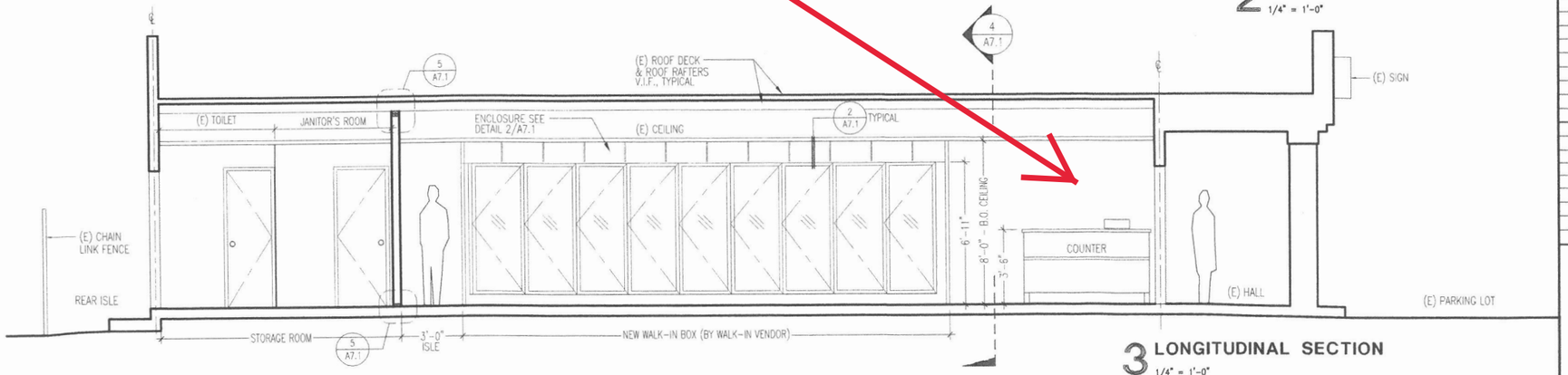


1 SOUTH ELEVATION
1/4" = 1'-0"



2 SOUTH ELEVATION
1/4" = 1'-0"

Display Area for Distilled Spirits



3 LONGITUDINAL SECTION
1/4" = 1'-0"

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	7/11/06	C.C.C. HEALTH DEPT. PLAN CHECK	EUS	AS

PROJECT NAME DOS CUNADOS MARKET
PITTSBURG, CALIFORNIA
PROJECT NO.
DESCRIPTION ELEVATIONS & SECTIONS
ELECTRONIC FILE NO. -A6.1.DWG
SCALE 1/4" = 1'-0"

A6.1

Past Alcohol Approvals

Dos Cuñados Market Use Permit Modification,
AP-20-1500 (UP)

Location	Resolution and Approval Date	ABC License Type	Limits on Advertising	Limits on Single Beer/Malt Liquor Containers	Limits on Wine Bottle Container Size	Limits on Distilled Spirits
Don Pepe's Market 2181 Loveridge Rd	Reso: 08-11027; Approved by City Council 6/16/08	20	Yes	Yes, pack of 4 or more	Yes, minimum 750ml, or pack of 4 or more	N/A
Mi Pueblo Market 2100 Railroad Ave (Now Cardenas)	Reso: 9777; Approved by Planning Commission 10/28/08	21	Yes	Yes, pack of 4 or more	No, but single-serve containers must be 4-pack	No
La Aurora Market 308 W. 10th St	Reso: 9789; Approved by Planning Commission 4/28/09	20	Yes	Yes, pack of 4 or more	Yes, minimum 750ml	N/A
San Marco Arco Mini-Market San Marco Blvd and Leland Rd	Reso: 9853; Approved by Planning Commission 7/27/10	20	Yes	Yes, pack of 3 or more*	Yes, minimum 750 ml, or pack of 4 or more	N/A
PTK Market 4011 Railroad Ave	Reso 11-11653; Approved by City Council 7/18/11	21	Yes	Yes, pack of 4 or more	Yes, minimum 750 ml, or pack of 4 or more	None
Island Pacific Market 2100 North Park Blvd	Reso 9904; Approved by Planning Commission 2/28/12	Never Issued	Yes	Yes, pack of 4 or more	Yes, minimum 750 ml, or pack of 4 or more	N/A
Dos Cuñados	Reso:10122; Approved by	21	Yes	Yes,	Yes,	Yes,

Market 3105 Railroad Ave	Planning Commission 1/23/19			minimum 24oz in size	minimum 750ml, or pack of 3 or more	375ml

*Modified by City Council Resolution 15-13006 on 1/20/15 to sell beer in 3-packs, instead of 4 originally approved

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The Impact of Single-Container Malt Liquor Sales Restrictions on Urban Crime

Patricia McKee · Darin J. Erickson · Traci Toomey · Toben Nelson · Elyse Levine Less · Spruha Joshi · Rhonda Jones-Webb

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Abstract Many US cities have adopted legal restrictions on high-alcohol malt liquor sales in response to reports of crime and nuisance behaviors around retail alcohol outlets. We assessed whether these policies are effective in reducing crime in urban areas. We used a rigorous interrupted time-series design with comparison groups to examine monthly crime rates in areas surrounding alcohol outlets in the 3 years before and after adoption of malt liquor sales restrictions in two US cities. Crime rates in matched comparison areas not subject to restrictions served as covariates. Novel methods for matching target and comparison areas using virtual neighborhood audits conducted in Google Street View are described. In Minneapolis, Minnesota, sales of single containers of 16 oz or less were prohibited in individual liquor stores ($n = 6$). In Washington, D.C., the sale of single containers of any size were prohibited in all retail alcohol outlets within full or partial wards ($n = 6$). Policy adoption was associated with modest reductions in crime, particularly assaults and vandalism, in both cities. All significant outcomes were in the hypothesized direction. Our results provide evidence that retail malt liquor sales restrictions, even relatively weak ones, can have modest effects on a range of crimes. Policy success may depend on community support and concurrent restrictions on malt liquor substitutes.

Keywords Alcohol · Local policy · Malt liquor · Chronic public inebriation

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Introduction

Malt liquor is a troublesome product for urban communities. Several studies have shown that consumption of high-alcohol malt liquor contributes to crime around retail outlets where it is sold [1–7]. These crimes include nuisance behaviors such as public inebriation, disorderly conduct, trespassing, littering, loitering and panhandling, as well as more serious offenses such as property damage and assaults. In 2008, a majority of alcohol-control officials surveyed in 115 large US cities said malt liquor consumption was a serious problem in their communities [1]. Nearly a third of these cities have enacted legal restrictions on malt liquor sales [1,7]. This paper examines the impact of those policies on a range of crimes in two cities.

Malt liquor is defined here as inexpensive, high-alcohol beer (6–9% alcohol by volume) often sold in large (16 to 40 oz) single containers. Several factors may contribute to the association of malt liquor consumption with crime. A 40-oz bottle of malt liquor, typically consumed as a single serving before it gets warm or flat, can contain as much alcohol as a six-pack of regular beer. Consuming one 40-oz bottle, therefore, meets the definition of heavy episodic or binge drinking (five

drinks in 2 h for men)—a risky form of excessive consumption [8]. Drinking at this level is associated with violence and disorderly conduct [9,10].

The sale of single-serve alcohol beverage containers has been linked with violent crime around retail outlets [11] and alcohol-related vehicle crashes [12]. Single containers of malt liquor are typically sold chilled and wrapped in paper bags, facilitating immediate public consumption near retail outlets. Retail outlets are stores that sell alcohol for consumption off the premises, such as liquor stores, grocery and convenience stores, gas stations, and general merchandise stores. A substantial body of research links retail alcohol outlets with crime and public nuisance activities [13–17]. Outlets lacking responsible management (such as those that promote cheap, high-alcohol beverages, sell singles, sell to underage patrons, or allow loitering on their grounds) may provide permissive settings for excessive consumption and opportunities for inebriated offenders and victims to come together [17–19].

Typical patterns of malt liquor use substantiate the potential for problems around retail outlets. These include drinking outdoors and during the daytime, [20, 21] rapid consumption, [22] and heavy drinking [20, 23]. Finally, malt liquor is widely available and heavily promoted on storefronts in many urban, low-income, and minority neighborhoods already disproportionately affected by high crime rates [24].

Legal Restrictions on Malt Liquor Sales

Communities can respond to alcohol-related problems by working with businesses and individuals to promote responsible sales and consumption, or by enacting state and local alcohol-control policies [25–27]. A common form of local control is regulation of the density, location and/or practices of retail alcohol outlets, often through city zoning ordinances. (Zoning ordinances control land use, stipulating the types of businesses that may operate in certain areas of the city, and under what conditions.) Communities also regulate retail alcohol outlet practices by placing conditions of operation on individual licenses on a case-by-case basis, for example, when a retailer repeatedly violates alcohol-control regulations, or when neighbors complain about crime and nuisance issues around a particular establishment.

Conditions of operation may be used alone or in combination to achieve goals such as increasing store security (e.g., requiring video cameras and exterior lighting); reducing neighborhood disorder (e.g., prohibiting loitering, limiting storefront alcohol ads, and requiring litter and graffiti removal); or limiting alcohol availability (e.g., reducing store hours and restricting the sale of certain products popular with youth or chronic public inebriates, such as wine coolers, flavored malt beverages, small bottles of spirits, fortified wine, and high-alcohol malt liquor) [28]. To restrict the availability of high-alcohol malt liquor, many communities prohibit the sale of large containers, single containers, or split or "broken" packages, while others prohibit the sale of chilled bottles, specific brands, or malt beverages over a specified percent alcohol. Exceptions are often made for expensive craft beers and imports [7].

Evaluation of local alcohol policies can inform future community efforts to protect residents from consumption-related problems. Some policies, such as limits on outlet density and hours of sale, have been associated with reductions in alcohol availability and consumption-related problems [13, 29, 30]. However, few evaluations of malt liquor restrictions exist in the peer-reviewed literature [31, 32]. In one report prepared for the Washington State Liquor Board, Tarnai found that police calls for alcohol-related incidents declined after 34 brands of high-alcohol, low price beer, and wine products were banned in two Alcohol Impact Areas in the city of Seattle [3]. In a Minneapolis pilot study, Barajas et al. found an association between outlet-level single-container sales restrictions and decreases in disorderly conduct [33].

The current study evaluates the effectiveness of single-container restrictions in two cities, at two levels of implementation: the outlet level in Minneapolis, Minnesota, and the ward level in Washington, D.C. We hypothesized that restrictions would be associated with decreases in alcohol-related crimes in targeted neighborhoods. Based on previous reports, we particularly expected decreases in less-serious crimes, such as disorderly conduct and vandalism [1, 3, 6, 23, 33].

Methods

We used an interrupted time-series design with comparison group (ITS-CG) to examine the relationship between malt liquor sales restrictions ("policies") and crime rates in Minneapolis, Minnesota and Washington, D.C., populations 382,578 and 601,712,

respectively [34]. An ITS-CG design uses several waves of observation in both intervention and comparison groups before and after the introduction of an intervention [35]. We compared monthly crime rates in targets areas (subject to malt liquor policies) for 3 years before and after policy adoption.

Establishing whether crime reductions are due to a single policy can be challenging in non-randomized, quasi-experiments. For example, reductions in crime around an alcohol outlet may be due to changes in other alcohol policies that were implemented at the same time malt liquor restrictions were adopted (e.g., restrictions on the number of new alcohol outlet licenses in high crime areas). Interrupted time series is commonly used in these types of studies, but the major problem is that alternative explanations for the change can be difficult to rule out (history threat to validity). We used an ITS-CG design to address this issue. The ITS-CG adds a nonequivalent control group to the interrupted time series. Assuming an appropriate comparison group (matched geographically and on other important covariates), this design can control for secular and seasonal patterns as well as threats to internal validity, such as history. Including comparison neighborhoods from the same city strengthens the study design and allows us to control for changes in other local alcohol policies and covariates that could also affect crime outcomes [15].

The creation of study areas is described below. All study methods were reviewed and approved by the University of Minnesota Institutional Review Board.

Data Collection and Measures

Our independent variable of interest was the presence or absence of a malt liquor policy. We searched online legislative websites and city council proceedings for any local ordinance, regulation, licensing restriction, or condition of sale that restricted the sale or availability of malt liquor, beer, or other malt beverages (use and definition of the term "malt liquor" varies across the country) in off-premise alcohol outlets. We confirmed our findings with local officials. Policies adopted prior to 2004 were disqualified due to data availability and recall bias concerns.

Malt Liquor Policies: Minneapolis

We found six eligible outlet-level policies in Minneapolis, all of which prohibited the sale of single containers of malt liquor or beer in containers of 16 to 18 oz or less (Table 1). The policies, adopted between 2005 and 2011, were in the form of operating restrictions placed on the licenses of individual liquor stores on a case-by-case basis. Typically, restrictions are imposed in response to citizen complaints of nuisance activity. Although the Minneapolis policies include restrictions on single containers of beer as well as malt liquor, city licensing staff told us the real intent was to curb high-alcohol malt liquor consumption [36]. All six policies included additional operating restrictions aimed at discouraging public consumption and nuisance behaviors.

Table 1 Malt liquor policies in Minneapolis, MN

Outlet	Effective date	Prohibited products
A	2/12/08	1) Single containers of malt liquor or beer 16 oz or less 2) Spirits in bottles under one pint 3) Wine in bottles under 750 ml 4) Non-premium brands of fortified wine
B	9/18/09	1) Single containers of malt liquor or beer 16 oz or less 2) Cash sale of spirits in bottles under one pint 3) Wine in bottles under 750 ml 4) Non-premium brands of fortified wine
C	10/5/07	1) Single containers of malt liquor or beer 16 oz or less 2) Spirits in bottles under one pint 3) Wine in bottles under 750 ml 4) Non-premium brands of fortified wine
D	1/28/05	1) Single containers of malt liquor or beer 16 oz or less 2) Wine or spirits in mini bottles (50 or 100 ml)
E	6/3/05	1) Single containers of malt liquor or beer 18 oz or less 2) Inexpensive fortified wines in half pints or pints 3) Wine in bottles under 750 ml
F	4/15/11	1) Single containers of malt liquor or beer 16 oz or less

Study Areas: Minneapolis Target study areas were created by drawing quarter-mile-radius circles ("buffers") around outlets with malt liquor policies. The Minneapolis Licenses and Consumer Services Division provided addresses of outlets licensed to sell alcohol from 2002 to 2013. We removed licenses not of interest (e.g., temporary, catering, non-retail) or not in force for the entire study period. We retained no more than one off-premise and one on-premise license per

unique business name and address. Using geographic information systems technology (GIS), we geocoded the outlet addresses and created buffers around each off-premise outlet. We chose a quarter-mile radius in order to reasonably attribute crime effects to the policies being studied. Any buffer that did not have a malt liquor policy or overlap a target buffer was eligible for selection as a comparison.

Matching Target and Comparison Areas: Minneapolis We used a three-step process to match targets with comparisons in Minneapolis. Matching criteria (described below) included alcohol outlet density, demographic attributes, store type, and neighborhood physical characteristics. Social disorganization theories posit that both socioeconomic status and the built environment influence community violence [37–39].

Step 1: Outlet Density and Demographic Attributes

We calculated buffer-level values for outlet density (on- and off-premise), population density, percent males aged 15–29, and percent female-headed households. For each target buffer, we used GIS to spatially join the outlet addresses and block-level census data to the buffer. For outlet density, we counted the number of outlets in each buffer. For demographic attributes, we prorated the block-level census values according to the percentage of each census block falling within the buffer. We then summed these prorated block values to obtain buffer-level values. For each matching criterion, we calculated the number of standard deviations between the target and each comparison candidate. We then summed the standard deviations (SSD) across all matching criteria and selected the ten comparison candidates with the lowest SSD scores. Scores for final comparison buffers ranged from 1 to 6.4 (Table 2), while SSD scores for all other candidates ranged from 2.6 to 13.3.

Step 2: Store Type

The research team viewed images of each target and its ten comparison candidates on Google Street View (GSV), a web-based geographic imaging application. GSV is a reliable proxy for in-person observations [40–45]. The team, by consensus, chose the five best matches for each target based on store type (e.g., matching a liquor store to another liquor store, rather than to a supermarket).

Step 3: Neighborhood Physical Characteristics

We conducted GSV-based audits of each remaining outlet and surrounding neighborhood using an instrument we developed building on previous research [41–45]. We assessed each outlet according to nearby features, including land use (e.g., commercial versus residential), opportunity to loiter (e.g., adjacent parking lot), building conditions (e.g., boarded windows), street and sidewalk conditions (e.g., potholes), physical disorder (e.g., graffiti), and social disorder (e.g., adult bookstore). We combined these six measures into a single, standardized total score for each outlet, and used these scores to match each target with its three closest comparisons (or four, in the case of a tie). Total scores for targets ranged from 0.9 to 1.6. Total scores for selected comparisons were 0 to 0.3 points from their targets (Table 2), while the scores for other candidates were 0.2 to 0.6 points from their targets (not shown).

We evaluated the inter-source reliability of our GSV-based neighborhood audit instrument and found substantial agreement between measurements from virtual (GSV) versus in-person observations across eight out of ten neighborhood characteristics measured. We assessed inter-rater reliability, finding very good to perfect agreement in scores from two independent raters across seven out of ten characteristics measured. A complete description of our GSV-based matching method is provided elsewhere [43].

Malt Liquor Policies: Washington, D.C.

In Washington, D.C., we found six malt liquor policies in the form of ordinances prohibiting the sale of divided packages and single containers of beer, malt liquor, or ale of 70 oz or less (Table 3). Two of the ordinances also prohibited selling spirits in half pints or less. As in Minneapolis, the policies were a response to citizen complaints of alcohol-related nuisance activities surrounding off-premise alcohol outlets. Unlike the Minneapolis restrictions, which apply to individual outlets on a case-by-case basis, the Washington, D.C. policies apply to all off-premise outlets within a whole or partial ward. In two wards, individual retailers can petition for exemption from the restrictions. The ordinances were enacted during 2007 and 2008 in five of the city's eight wards, as well as in a subdivision of ward 1, Advisory Neighborhood Commission (ANC) 1-D. The five wards, plus ANC 1-D, comprised the six target study areas. The two non-policy wards served as the comparison area for all target areas, with the exception

Table 2 Matching criteria for Minneapolis target and comparison study areas

Study area[a] (outlet buffer)	% Males 15–29	% Female-headed households	Population	Off-premise count	On-premise count	SSD[b] score	GSV[c] score
A	*19*	*21*	*1453*	*1*	*5*	*0*	*1*
a1	13	13	1104	1	1	1.41	1
a2	31	41	1407	1	1	2.38	1
a3	16	29	1478	3	4	3.07	1
B	*19*	*32*	*2025*	*1*	*4*	*0*	*0.9*
b1	19	24	1340	1	4	1.2	0.9
b2	31	41	1407	1	1	2.1	1
b3	13	13	1104	1	1	2.54	1
C	*18*	*12*	*291*	*3*	*74*	*0*	*0.9*
c1	21	14	560	3	44	2.29	0.9
c2	19	0	98	3	9	4.97	0.7
c3	16	29	1478	3	4	6.41	1
D	*20*	*54*	*1709*	*2*	*1*	*0*	*1.4*
d1	26	56	2101	*2*	2	1	1.5
d2	24	52	2138	1	0	1.92	1.6
d3	27	40	1604	1	4	2.8	1.3
d4	26	46	964	2	7	2.02	1.6
E	*22*	*41*	*1007*	*1*	*0*	*0*	*1.6*
e1	31	50	824	1	3	1.74	1.3
e2	24	52	2138	1	0	1.88	1.6
e3	27	40	1604	1	4	1.19	1.3
e4	26	46	964	2	7	2.11	1.6
F	*28*	*40*	*1672*	*3*	*3*	*0*	*1.2*
f1	16	29	1478	3	4	1.58	1
f2	26	42	1548	2	23	2.48	1.2
f3	29	44	2102	2	5	1.81	1.1

[a] Targets in italics, followed by comparisons

[b] Sum of standard deviations of matching criteria from target

[c] Measure of store and neighborhood characteristics from Google Street View-based audit

of ANC 1-D, where the comparison area was the remainder of ward 1.

Crime

Our dependent variables were monthly crime rates. We obtained the date and location of all crimes known to police for the period 2002–2012 from the Minneapolis and Washington, D.C. police departments. Crime addresses were geocoded and spatially intersected with study areas using GIS technology. The geocoding match rate was 97.2%. We selected crimes for study based on Uniform Crime Reporting (UCR) categories, used by both cities to report standardized statistics to the FBI. The UCR system distinguishes more serious offenses (Part 1) from less serious offenses (Part 2).

In Minneapolis, we evaluated two individual offenses (*Disorderly Conduct* and *Vandalism*), and selected offenses in four crime categories: *Part 1*, *Part 2*, *Assaults*, and *All Crimes*. Selected Part 1 offenses included homicide, manslaughter, criminal sexual conduct, and aggravated assault. Selected *Part 2* offenses included simple assault, disorderly conduct, narcotics violations, vagrancy/panhandling, vandalism, consuming alcohol in public, and "other offenses" (loitering/lurking, trespassing, drug paraphernalia, and public urination). *Assaults* (including domestics) comprised aggravated assault (involving great bodily harm or a dangerous weapon) and simple assault. *All Crimes* included all of the offenses listed above.

In Washington, D.C., only aggravated assault data were available. The UCR system is voluntary, and the Washington, D.C. police department did not

Table 3 Malt liquor policies in Washington, D.C

Ward	Effective date	Prohibited products
A[a]	12/24/08	1) Divided packages and single containers of malt liquor, beer or ale 70 oz or less
B	12/24/08	1) Divided packages and single containers of malt liquor, beer or ale 70 oz or less. *Exceptions allowed* 2) Spirits in half pints or less
C	8/1/07	1) Divided packages and single containers of malt liquor, beer or ale 70 oz or less
D	12/25/08	1) Divided packages and single containers of malt liquor, beer or ale 70 oz or less. *Exceptions allowed* 2) Spirits in half pints or less
E	8/15/08	1) Divided packages and single containers of malt liquor, beer or ale 70 oz or less
F	8/15/08	1) Divided packages and single containers of malt liquor, beer or ale 70 oz or less

[a] The policy affects only part of the ward

consistently report statistics on Part 2 offenses during the study period [46]. Additionally, the department was not able to provide the Part 1 offenses of rape and homicide for the complete study period [47].

Statistical Analysis

To evaluate whether implementation of malt liquor policies were associated with decreases in crime, we compared monthly crime rates in the 3 years prior to, and 3 years following policy adoption, for a total of 72 months of data using time-series modeling. Time-series can model diverse types of serial autocorrelation and provides great flexibility in estimating intervention effects through the use of transfer functions. In addition, by including a local comparison group, effects of other policies and potential covariates can be controlled. In Minneapolis, we fit individual models for each outlet buffer for six crime outcomes: *All Crimes*, *Part 1*, *Part 2*, *Assaults*, *Disorderly Conduct*, and *Vandalism*. In Washington D.C., we ran time-series models for *Aggravated Assaults* only. Crimes over time in the comparison areas (similar areas without malt liquor policies) could be modeled as either outcomes in separate models and estimates differenced to calculate a net effect, or included in the model as a covariate to control for those changes directly. We chose to model comparison area crimes as time-varying covariates so that these fixed effects would directly control for not only secular trends but also serial autocorrelation.

With a time-series design and a count outcome, the two major analytic complexities were serial autocorrelation and nonnormality. Prior to testing for serial autocorrelation, we excluded any crime outcome with over 50% zeros in the pre-period. We tested each of the remaining 35 outcomes (29 in Minneapolis and 6 in Washington D.C.) for serial autocorrelation, using an autocorrelation check for white noise via an autoregressive integrated moving average (ARIMA) model [48]. Of these, over half showed positive serial autocorrelation. For these, we modeled monthly crime counts using an ARIMA time-series model. We log-transformed the count data to improve the distribution and allow model parameter estimates to be interpreted as percent change. We controlled for seasonality and nonstationarity where indicated.

For the 13 outcomes lacking serial autocorrelation, ARIMA models were not necessary. For these, we used negative binomial regression, as overdispersion was indicated and therefore Poisson regression was not appropriate. To compare the ARIMA and negative binomial results, we transformed effect estimates into percent change estimates. We used SAS® software, version 9.3 [48] for all analyses using either PROC ARIMA or PROC GENMOD. A strict significance criterion of P less than 0.05 (two-tailed test) was used to evaluate the effect of malt liquor policy adoption.

Results

Monthly Crime Rates

Unadjusted monthly crime rates in Minneapolis varied widely across study areas and crime categories (Table 4). Across study areas, average monthly pre-period counts of *All Crimes* ranged from 2.9 in a middle-class, residential neighborhood to 231.7 in a downtown area. Across crime categories, the more serious *Part 1* crimes were rare, as expected, ranging from 1.1 to 9.3 per month in the pre-policy period. *Part 2* crimes ranged from 2.8 to 222.3 per month in the same period. Total unadjusted crime rates, in all target

Table 4 Change in monthly crime rates following malt liquor policy adoption, Minneapolis, MN

Crime	Study area (outlet buffer)	Average monthly crimes in pre-period	Estimated percent change after policy adoption[a]	Estimated change in number of crimes[a]	*p* value
All Crimes	A[b]	2.9	−42.9	−1.2	0.003
	B	16.3	−56.0	−9.1	<.0001
	C	231.7	3.3	7.7	0.63
	D	42.6	8.5	3.6	0.72
	E	8.7	9.3	0.8	0.41
	F	9.1	13.1	1.2	0.46
Part 1	A[c]	*	*	*	*
	B[c]	*	*	*	*
	C[b]	9.3	−20.4	−1.9	0.01
	D	4.6	15.2	0.7	0.19
	E[b]	1.1	49.1	0.5	0.06
	F[b]	1.1	−12.3	−0.1	0.66
Part 2	A	2.8	−12.6	−0.4	0.27
	B	15.7	−59.0	−9.3	<.0001
	C	222.3	1.8	3.9	0.56
	D	37.9	9.4	3.6	0.53
	E	7.6	3.5	0.3	0.79
	F	8.0	16.6	1.3	0.38
Assaults	A[c]	*	*	*	*
	B[b]	2.1	−12.3	−0.3	0.58
	C	30.0	−13.5	−4.1	0.002
	D	12.0	8.7	1.0	0.40
	E[b]	4.0	11.5	0.5	0.35
	F[b]	3.1	27.8	0.9	0.21
Disorderly conduct	A[c]	*	*	*	*
	B[c]	*	*	*	*
	C	37.5	0.4	0.1	0.96
	D[b]	2.9	−5.5	−0.2	0.69
	E[c]	*	*	*	*
	F[c]	*	*	*	*
Vandalism	A[b]	1.8	−51.7	−0.9	0.002
	B[b]	2.7	−25.6	−0.7	0.07
	C	13.6	−24.4	−3.3	0.004
	D	6.2	−6.6	−0.4	0.64
	E[b]	3.4	−5.0	−0.2	0.74
	F[b]	2.3	41.5	1.0	0.09

[a] After controlling for pre-post change in comparison areas

[b] Negative binomial model

[c] Model not run due to numerous zero crime counts

and comparison study areas combined, decreased from the pre-period to the post-period in all categories except *Disorderly Conduct*.

In Washington, D.C., average monthly *Aggravated Assaults* during the pre-period ranged from 27.3 to 60.0, not including area A, a partial ward (Table 5). Total unadjusted *Aggravated Assault* rates, in all target and comparison study areas combined, increased from the pre-period to the post-period.

Effects of Malt Liquor Policy Restrictions on Crime

Minneapolis We hypothesized that adoption of malt liquor sales restrictions would be associated with

Table 5 Change in monthly crime rates following malt liquor policy adoption, Washington, D.C

Crime	Study area (ward)	Average monthly crimes in pre-period	Estimated percent change after policy adoption[a]	Estimated change in number of crimes[a]	*p* value
Aggravated Assaults	A	3.3	−30.1	−1.0	0.05
	B	28.0	−8.4	−2.3	0.19
	C[b]	27.3	8.1	2.2	0.12
	D	38.3	4.1	1.6	0.36
	E	48.5	4.3	2.1	0.61
	F	60.0	4.8	2.9	0.40

[a] After controlling for pre-post change in comparison areas

[b] Negative binomial model

decreases in crime in neighborhoods surrounding affected outlets after controlling for crime around outlets with no restrictions. Tests for the effect of malt liquor policies were in the hypothesized direction in 14 of the 29 Minneapolis models run (Table 4). Statistically significant differences were found in seven of the models, all in the hypothesized direction. Examining results by crime category, *Part 1*, *Part 2*, and *Assaults* each had one statistically significant test. *Vandalism* decreased in five of the six study areas, with two of these estimates statistically significant. *Disorderly Conduct* was common enough to estimate in only two study areas, and neither was statistically significant.

Results varied by study area, as illustrated in Fig. 1. The study area around Outlet C had significant reductions in three crimes: *Part 1*, *Assaults*, and *Vandalism*. Two study areas each had significant reductions in two crimes: *All Crimes* and *Vandalism* around outlet A and *All Crimes* and *Part 2* around outlet B. It is important to note that the *All Crimes*, *Part 1*, and *Part 2* categories incorporate other crime categories and are therefore not independent.

Washington, D.C. Target areas showed few changes in *Aggravated Assaults* following adoption of malt liquor restrictions (Table 5). Tests were in the hypothesized direction in just two of the six study areas, with only one significant change. Specifically, the partial ward comprising area A showed a statistically significant relative decrease of 30.1% ($p = .05$) in *Aggravated Assaults* following malt liquor policy adoption. (As mentioned earlier, crime increased in Washington, D.C. during this period, so this 'adjusted decrease' actually represents a smaller increase in the target relative to the comparison.) None of the other tests were statistically significant.

Discussion

We evaluated the impact of single-container malt liquor sales restrictions on crime in Minneapolis, Minnesota, and Washington, D.C. We found evidence that these restrictions were associated with modest reductions in a range of crimes associated with alcohol.

In Minneapolis, crime decreased in three of six study areas. Drinkers in these areas may have purchased less malt liquor due to the restrictions, and hence, were less inebriated and less likely to engage in nuisance behaviors. It is also possible that drinkers went elsewhere to purchase malt liquor, possibly increasing crime levels in that neighborhood. However, Tarnai found that alcohol-related problems did not migrate to other neighborhoods following imposition of a ban on cheap, high-alcohol malt beverage and wine sales in Alcohol Impact Areas in Seattle, Washington [3].

The only Minneapolis study area to show a significant decrease in the more serious Part 1 crimes was a downtown area (around outlet C). Assaults and vandalism also decreased there. As shown in Table 2, this study area has three liquor stores, 74 on-premise outlets (nightclubs, bars, and restaurants), and a professional sports arena, but only 291 residents. These conditions provide an opportunity for large numbers of transient drinkers to come into contact with one another under limited community supervision, increasing the risk for violence [49]. This, coupled with the stronger law enforcement presence downtown, may have contributed to the reduction in Part 1 crimes.

The Minneapolis restriction was not particularly strong, in that it addressed only single containers of malt liquor of 16 oz or less, but not larger singles, such as 32- and 40-oz bottles. The larger bottles have been the focus of community complaints, and are abundant in liquor stores in low-income areas of Minneapolis [24]. Malt liquor restrictions are often imposed concurrently with other policies intended to deter crime, such as limits on hours of sale, or requiring video cameras. It is worth noting that the three outlets where crime decreased were also prohibited from selling non-premium fortified wine and half-pints of spirits,

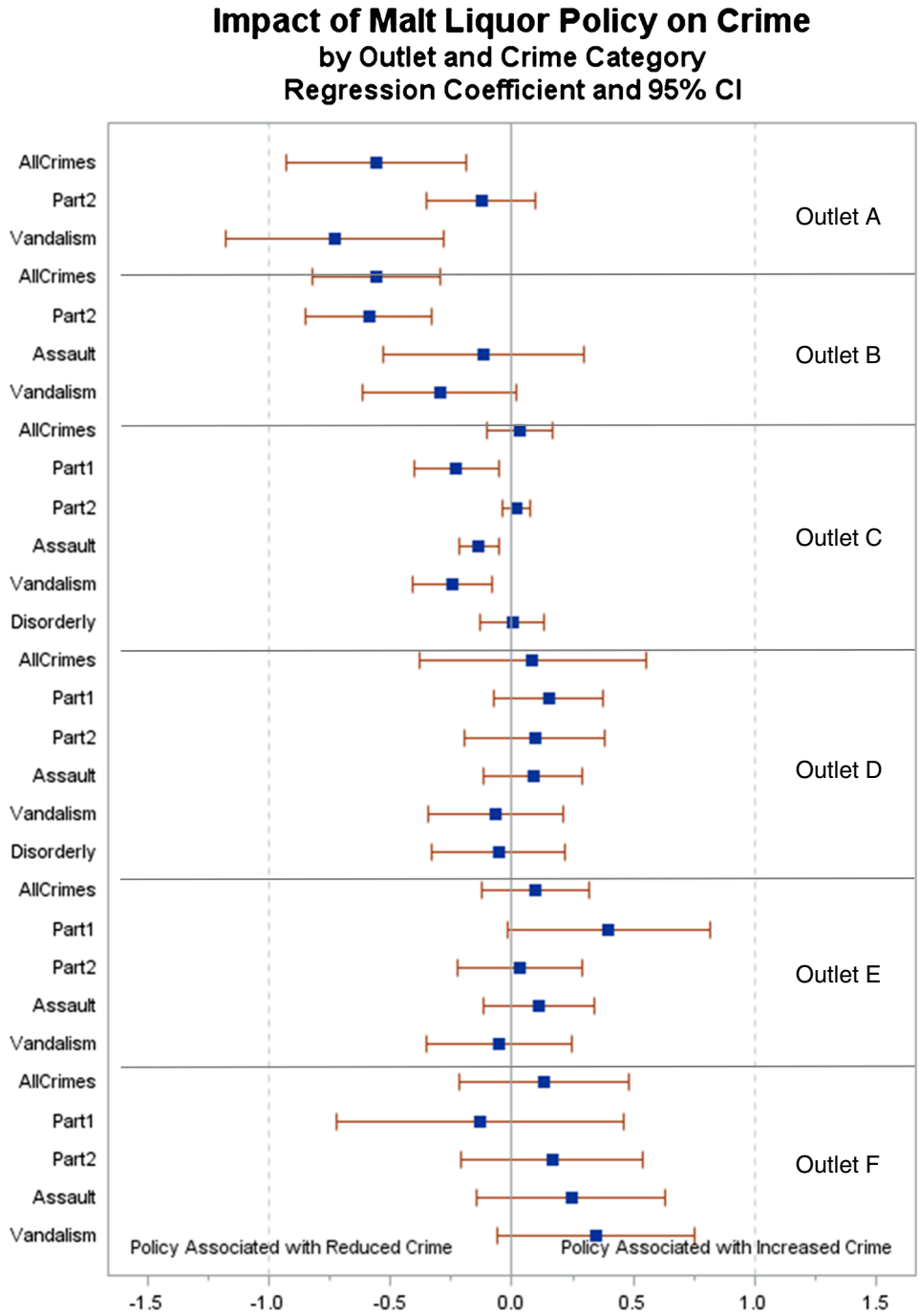

Fig. 1 Impact of malt liquor policy on crime

products that are both low cost, high-alcohol products that could be substituted for malt liquor (Table 1). These three outlets were also the only targets required to prevent loitering and panhandling outside their stores (data not shown). This combination of policies may have been more effective than single-container restrictions alone.

In Washington, D.C., a somewhat stronger policy prohibited single containers of any size, and covered all outlets within a full or partial ward. Here, we saw

statistically significant decreases only in area A. The area includes a commercial corridor with high outlet density and high rates of alcohol-related crime. A temporary single-sales moratorium imposed along the corridor in 1999 had garnered strong community support, and was generally perceived as successful by residents, police, and even many business owners [50–53]. This support may have encouraged retailer compliance when the more broad-based, permanent ordinance was adopted in 2008.

We found no association between policy adoption and crime reduction in the majority of study areas in Minneapolis and Washington, D.C. Crime may be unrelated to malt liquor consumption in these areas, or policy effects may have been too small to detect. This is especially likely in Washington, D.C., where wards include large areas of affluence within which high-alcohol malt liquor consumption was not likely a problem even before policy adoption.

Finally, retailers may simply have failed to comply with the policy. In one Washington, D.C. ward (area C), liquor retailers challenged a permanent moratorium on single sales in 2004 and successfully obtained an injunction to stop it. The moratorium ultimately took effect in 2007 when the injunction was overturned on appeal. However, the lawsuit and attendant delay in policy implementation may have resulted in reduced levels of compliance when the policy finally did take effect. While difficult to achieve in a retrospective study, future research on this topic should address compliance and enforcement. Lax enforcement was a major theme in an earlier case study we conducted in cities that had adopted malt liquor policies [2].

In summary, our results suggest at least some policy effects on crime reduction at both the individual outlet level and the area level. The policies may work best in combination with other policies, such as restrictions on malt liquor substitutes (e.g., fortified wine and small bottles of spirits). Finally, the contrasting experiences of areas A and C in Washington, D.C. suggest that strong community support for local alcohol policies is important to their success over time. This may be especially true for area-wide policies, which, due to their scale, are more likely to attract organized opposition from the alcohol industry.

Limitations

The following limitations of our study should be noted. Although the UCR system has standardized crime reporting to some extent, data are not always collected uniformly in all cities over time. Several crimes we hoped to assess were not consistently reported in Washington, D.C. during our study period. Furthermore, in Minneapolis, counts for some crimes of interest (e.g., public drinking, panhandling, and loitering) were too low to evaluate separately. Stronger effects may have been observed in cities with higher crime levels and complete crime data.

Malt liquor policies are a small signal in a "noisy" environment. Localized changes over time in enforcement priorities or criminal influences (e.g., the emergence of a new street gang) could affect crime rates in some parts of the city, but not others. We used multiple targets and matched comparisons to reduce these influences and help isolate the policy effect. Finally, some single-container restrictions were adopted with additional policies that may have influenced crime rates, and some outlets in Washington, D.C. had pre-existing voluntary agreements to refrain from selling singles. We were not able to separate these effects with a time-series design.

Implications

To our knowledge, this is the first study to rigorously evaluate the effects on crime of single-container malt liquor sales restrictions at two levels of implementation. Evaluating local alcohol policies can be a complex undertaking due to lack of data and intra-city differences. However, our results provide evidence that single-sales restrictions, even relatively weak ones, may have modest effects on a range of crimes. This finding is interesting, given local malt liquor restrictions are typically just one small component of the broader alcohol-control environment.

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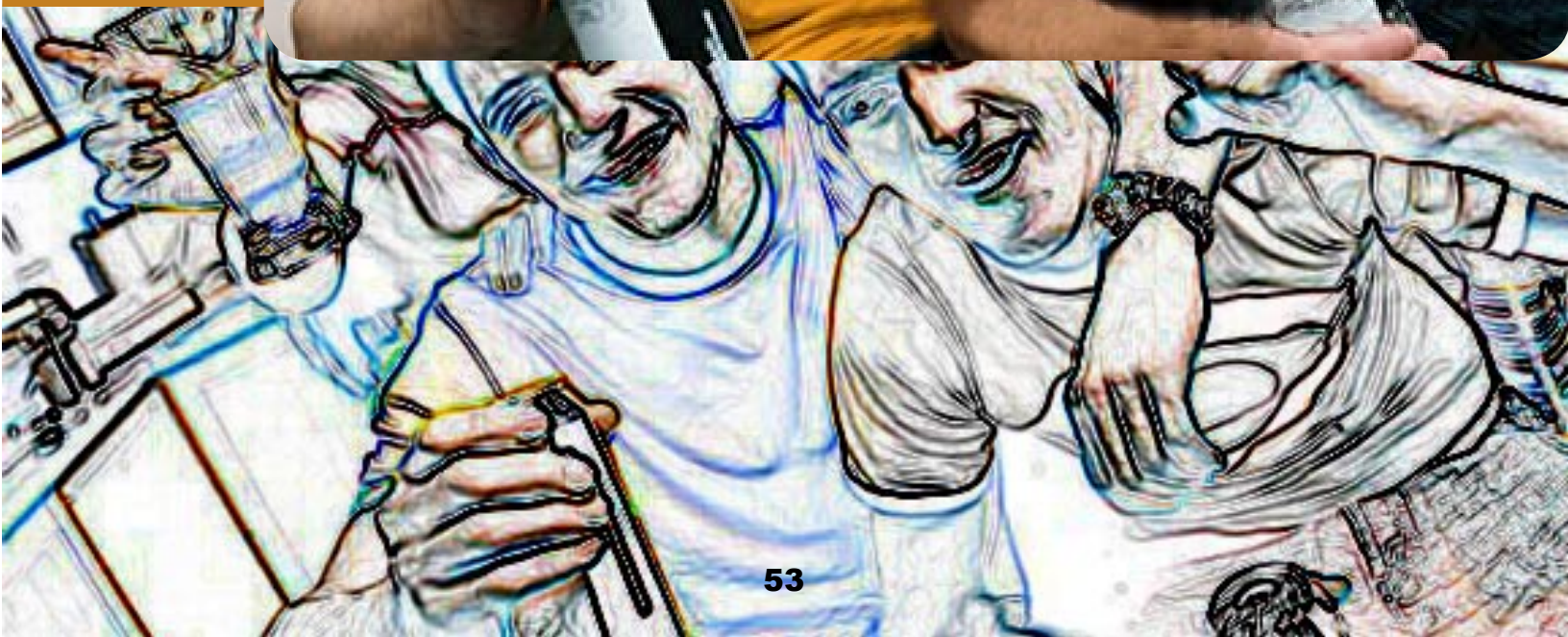
Policy Strategies







Policy Strategies to Reduce Underage and Binge Drinking

Sandra A. Hoover, Ph.D., M.P.H

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Policy Strategies to Reduce Underage and Binge Drinking

Introduction

The purpose of this publication is to assist prevention professionals in developing policy strategies to address the problems associated with high-risk and underage drinking in their communities. This paper provides an overview of policy strategies, current research on their effectiveness, and their application in the community as part of an environmental prevention systems approach.

Scope of the Problem

The Centers for Disease Control, Morbidity and Mortality Weekly Report (September 24, 2004) states that in 2001, excessive alcohol consumption was responsible for over 75,000 preventable deaths, making it the third leading preventable cause of death in the United States. The report's authors defined alcohol-attributed injury death, using a higher Blood Alcohol Concentration (BAC) level (≥0.10) than that used by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) to define binge drinking (≥0.08) with the result that all of the injury deaths could be attributed to binge drinking. Over half of the alcohol-attributable deaths (AAD) resulted from acute conditions, approximately one-third of those from motor vehicle accidents.

The 2003 NSDUH reports an estimated 13.6 percent of persons aged 12 or older drove under the influence of alcohol at least once in the 12 months prior to the interview. This percentage represents 32.3 million persons (Office of Applied Studies, 2004). Alcohol consumption has other adverse consequences for individuals including injuries and accidents, unplanned or unprotected sex or other risky sexual behavior, fights, sexual assault, or date rape, and other violence. Alcohol contributes to homicides and suicides. Youth particularly experience damage to their physical, cognitive, and social development (Institute of Medicine, 2002).

Alcohol problems are not limited to the individual but have an enormous impact on the community. The latest government report estimates that the cost of alcohol abuse to the nation is $184.6 billion (Harwood, 1998:5). These costs include health care costs due to alcohol-related illnesses, loss of productivity, prevention and treatment costs, criminal justice costs, and social welfare costs as well as losses due to alcohol-related crime, fires, and motor vehicle accidents. The role of alcohol in contributing to increased crime, vandalism and property damage, trash and noise complaints translates into increased demands on police, medical/emergency, and other community services.



Environmental Prevention

The Institute of Medicine (IOM) report on underage drinking notes the following:

> *It turns out that the patterns and consequences of youthful drinking are closely related to the overall extent and patterns of drinking in the society, and they are affected by the same factors that affect the patterns of adult consumption. From this standpoint, it is possible that the most effective way to reduce the extent and adverse consequences of youthful drinking would be to reduce the extent and consequences of adult drinking (2002:16).*

Citing the high cost and prevalence of alcohol abuse and subsequent alcohol-related problems, relative stability in alcohol use patterns in the last several years, lack of progress in reducing youth drinking, including heavy drinking and DUI, the report suggests that policy regulatory approaches are more likely to produce substantive changes in both youth and adult drinking patterns.

Traditional attempts to reduce underage drinking and associated problems have focused on changing individual substance use behavior through public awareness campaigns, school health education, counseling, and treatment. However, these approaches are undermined by countervailing forces in the environment. Thus, while underage and binge drinking education campaigns stress the dangers of alcohol use, advertisements and the media portray drinking as "cool," fun, sexy, and glamorous. Young people report they have easy access to alcohol, either buying it themselves or getting it from adult providers. Social attitudes and behavior that treat youth drinking as a rite of passage, place a lower priority on enforcing alcohol policies, and equate socializing with alcohol consumption, often to excess, send mixed messages and weaken prevention efforts.

Clearly, people need to have good information on which to base their choices, but adopting healthy behavior is much more complicated than that. Individual-focused strategies do not address the social and cultural conditions that encourage or facilitate unhealthy and unsafe behavior.

An excellent example of how social conditions affect consumption and alcohol related problems is the history of the minimum legal drinking age (MLDA) laws in the U.S. Since the Prohibition era, many states had imposed age 21 as the minimum legal drinking age. Between 1970 and 1975, 29 states lowered the legal drinking age from 21 to 18, 19, or 20 (APIS). Subsequent increases in alcohol-related motor vehicle injuries and deaths among this population raised concerns and demands for changing the MLDA back to 21. In 1984, the federal government passed the National Minimum Drinking Age Act, which required states to establish the legal drinking age as 21 or face withholding of federal highway transportation funds. By 1988, all states had established age 21 as the MLDA, followed by dramatic reductions in underage drinking during the 1980s and early 1990s. This series of events provided a number of "natural experiments" regarding the impact of policy on a public health issue, generating numerous studies. Wagenaar and Toomey conducted a comprehensive review of this research and concluded that a large proportion of these studies showed a significant relationship between raising the MLDA and reductions in alcohol consumption and alcohol-related crashes (2002:14).



Community conditions that facilitate underage and binge drinking fall into four basic categories:

1. Price. Low taxes, price discounts on drinks, and sales all keep the price of alcohol low, encouraging heavy drinking and making alcohol easier for young people to afford.

2. Access and availability. Underage drinkers report that alcohol is easy to get, whether they purchase it or an adult provides it to them. Alcohol is available in a wide variety of places in the community. Certain areas have a high density of off-sale and on-sale alcohol outlets (often in low income or ethnic minority neighborhoods or college areas). Off-sale outlets, where alcohol is consumed off the premises, include supermarkets, convenience stores, and gas stations. On-sale establishments refer to those places where alcohol is sold and consumed on the premises such as restaurants, bars, and nightclubs. Alcohol may also be sold and consumed at sports stadiums, concert and other entertainment venues, fairs, parades, festivals, recreational settings, and many other places – even laundromats in some communities. The time at which alcohol may be sold also affects availability; thus, some communities have determined whether to allow alcohol sales on Sundays and holidays or after certain hours.

3. Advertising and promotion. Alcohol advertising is widespread through a broad variety of broadcast and print media. The entertainment media enhance social acceptability of alcohol and tobacco use, and frequently portray their use as more extensive than in reality (ONDCP, 1999). Sponsorship of sports, community festivals, and arts events is another vehicle for reaching various audiences. Advertising content, as noted above, glamorizes drinking and reinforces the concept of alcohol as intrinsic to social interaction. Advertisers also use product placement in movies and television and music videos to promote their products by paying or offering products free of charge to be displayed.

4. Community norms. Norms include weak and/or unenforced laws and social norms that promote high consumption and minimize the risks associated with underage and abusive drinking.

Those who have a stake in the status quo already use public policy to protect their interests such as keeping taxes on alcohol low, challenging restrictions on advertising, and promoting legislation that increases the availability of alcohol (e.g., permitting gasoline stations to sell alcohol). Likewise, community members can also advocate for changes in laws, regulations, and other policies, in this case to improve health and safety. Public health advocates, for example, have sought policies to restrict or ban price discounts; limit the number of alcohol outlets; require server and retailer training; limit placement of alcohol advertising near schools, churches, and day care centers; and increase the number of alcohol-free settings, events, and activities. They have advocated for stronger enforcement of alcohol regulations and made prevention of hazardous drinking a high priority on the public agenda.

Despite perceptions that the public opposes additional laws or restrictions, there is a great deal of public support for alcohol policy. The University of Minnesota's Alcohol Epidemiology Program, the Center for Science in the Public Interest (CSPI), and the American Medical Association have all conducted public opinion polls concerning public



attitudes towards alcohol policies. These polls consistently report high levels of public support for policies restricting public drinking, requiring responsible beverage service training, penalizing adult providers, and raising taxes on alcohol, among others.

Policy Strategies to Change Community Conditions

The degree to which communities can enact regulations or laws to control the distribution, sales, and consumption of alcohol varies from state to state. Some states expressly prohibit (preempt) local jurisdictions from regulating alcohol or imposing controls stricter than the state; e.g., licensing alcohol outlets or taxing alcoholic beverages. In these circumstances, many communities have turned to land use or zoning regulations as a means of local control. This next section discusses various strategies by which communities have attempted to control the conditions affecting alcohol use.

1. Increase the price of alcohol

As noted above, one of the conditions that affects alcohol consumption is price. The premise is that lower alcohol prices encourage people to drink more and make alcohol more affordable to young people. Conversely, increasing the price of alcohol would discourage heavy and underage drinking. Clearly, policies to change price involve reversing practices that keep the price low by raising excise taxes, eliminating the tax exemption for advertising, and restricting or banning price promotions and discounts. Other strategies that increase the price of alcohol include establishing or increasing licensing fees for retailers and increasing infraction penalties for violations of alcohol laws and regulations.

Several states have passed laws prohibiting unlimited drinks at one price, two or more drinks at one price, happy hours, ladies' nights, free drinks, selling drinks for less than half the regular price, and advertising or promoting drink specials or happy hours (Erenberg, 1997:54). In addition, communities have passed similar ordinances to control discounting of alcoholic beverages, for example Iowa City, Iowa and Newark, Delaware (American Medical Association, 2003). Land use regulations, another method for adding fees or other conditions to alcohol or business licenses, is discussed in the next section.

The relationship between alcohol prices and consumption has been researched extensively (Alcohol Epidemiology Program, 2000; Babor et al., 2003). Studies have shown that increasing the price of alcohol reduces consumption for heavy and problem drinkers as well as the general population; furthermore, raising prices has reduced alcohol-related problems such as motor vehicle crashes, violent crime, and cirrhosis of the liver. Studies indicate youth are particularly price sensitive; research on the impact of beer prices has found reductions in underage and binge drinking in youth (Babor et al., 2003). The public supports alcohol taxes, particularly if the funds are used for substance abuse prevention.



Public Opinion Does Not Support Alcohol Tax Cuts [10]

By a two to one margin, Americans oppose rolling back the federal excise tax on beer, according to a 2001 national poll conducted for CSPI and MADD. The vast majority of Americans – 71 percent – would support increasing the national beer tax a few cents per bottle to equal the tax on liquor, if the funds were used for substance abuse prevention. The poll also found that 75 percent of Americans believe that a beer-tax cut would benefit the beer industry more than consumers. About 77 percent of drinkers agreed.

10. MADD/CSPI Nationally Representative Poll conducted by Penn, Schoen, Berland & Associates, Inc. July and August 2002.
www.cspi.org/

2. Reduce access and availability

Access and availability refer to the extent alcohol is readily available in the community and the ease with which adults and underage youth can obtain it either through commercial or social sources. Commercial availability policies include a range of strategies to control general alcohol consumption, underage drinking, drinking and driving, and other alcohol-related problems. Some researchers study commercial availability using the perspective of a supply side approach -- the production, distribution, and retail sale of alcoholic beverages. This approach is based on economic principles of supply and demand and their interrelationship, including both legal and illegal sources of supply (IOM, 2002:458).

There are several local policy options that communities can use to control commercial availability through ***zoning or land use regulations***. Please see Sparks (2002) for a more detailed description of the following California land use regulations.

Conditional Use Permit (CUP) — allows local communities to place conditions on the operation of alcohol outlets, both on- and off-sale. Conditions may address types of outlets (e.g., minimarts or gas stations, zoning restrictions for bars), location (e.g., forbidding location of an outlet near schools or places of worship), days and hours of operation (e.g., banning Sunday sales, bar closing hours), outlet density, and minimum standards of operation (e.g., requiring responsible beverage service (RBS) training, exterior and interior lighting, noise, forms of entertainment, security, signage, etc.

Public Convenience or Necessity (PCorN)—refers to new alcohol license applicants. Decision to grant the license is based on crime rates and license/population ratio of, respectively, the crime reporting district and census tract where the license is to be located.

Deemed Approved Ordinances (DAO)—these are nuisance abatement tools that regulate existing alcohol on/off sale outlets.

Access Controls that target underage drinking are the minimum legal drinking age (MLDA), graduated licensing for novice drivers and "zero tolerance" legislation, server liability, merchant education, banning or restricting home deliveries, and enforcement of selling restrictions through compliance checks and shoulder tap operations.



Access and Use Controls targeting drinking and driving include DUI laws and enforcement; laws prohibiting open containers; restricting hours of service; banning drive-in, home delivery and gas station sales; and the use of interlock devices.

The Pacific Institute for Research and Evaluation (PIRE, 1999) suggests the following as best practices to control commercial availability:

- Ban commercial sales and gifts to minors.
- Restrict the location of alcohol outlets.
- Restrict alcohol sales at community events.
- Restrict the age of alcohol servers and sellers.
- Restrict minors' access to bars and nightclubs.
- Install and use drivers' license scanners.
- Regulate home delivery and Internet/mail order sales.
- Mandate responsible beverage service programs.
- Carry out compliance check programs.
- Impose appropriate penalties for commercial violations.

Researchers studying commercial availability policies recommend controlling outlet density, enforcing the MLDA and sales to minor laws, and, to some extent, restricting hours or days of sale, and enforcing responsible beverage service policies as most effective (Babor et al., 2003; College Task Force, 2002; IOM, 2002).

Social availability refers to provision of alcohol through non-commercial sources. MTF survey data from 2000 report that 57% of high school seniors said that when they consumed alcohol during the previous year, most or all of those times were at private parties (IOM, 2002:334). Several studies report that the major source of supply for underage youth is through social sources; that is, other underage persons or those of legal age (Ibid.:459).

Strategies to control social availability include social host liability laws, which hold adults who furnish alcohol to minors responsible and subject to civil or criminal penalties. Keg registration is a tool many communities have used to hold adults accountable if underage youth are caught drinking beer from kegs. It requires some form of registration and/or identification of the purchaser, often with a deposit. This information allows police to trace and cite the purchaser of the keg. Other forms of social availability controls include: noise or open house ordinances and party patrols to control underage drinking in private residences; restrictions on consumption of alcohol in public places such as beaches, parks, and community events; and requirements for exterior parking lighting for alcohol outlets to make it easier to identify adults who are purchasing alcohol for youth (University of Minnesota Alcohol Epidemiology Program website).



The Pacific Institute for Research and Evaluation (PIRE, 1999) has identified the following best practices for controlling social and public availability of alcohol.

- Restrict noncommercial furnishing of alcohol to minors
- Implement beer keg registration
- Implement "shoulder-tap" enforcement programs (to deter strangers from buying alcohol for minors)
- Implement teen party ordinances
- Restrict and monitor teen parties at motels and hotels
- Establish alcohol restrictions in public locations
- Apply appropriate penalties to illegal transactions in noncommercial settings

Nationally, there is strong public support for policies to control availability and access. Table1 shows results from a University of Minnesota survey.

Table 1.
High Levels of Public Support for Alcohol Availability Policies

- Restrictions on Drinking on City Streets – 93%
- Server Training Requirements – 90%
- Bar Owner Training Requirements – 89%
- Restrictions on Drinking on College Campuses – 88%
- Telephone Tip Lines to Report Illegal Use and Sales of Alcohol – 88%
- Punishment of Adults Providing Alcohol to Minors – 87%
- Alcohol Tax Increase for Prevention Purposes – 81%
- Restrictions on Drinking at Sports Stadiums – 74%

Alcohol Epidemiology Program, University of Minnesota. December 2002.
www.epi.umn.edu/alcoho

With stronger enforcement of commercial availability laws reducing illegal sales to minors and survey data showing youth obtain alcohol primarily from social sources, many public health advocates have turned to social host legislation to curb underage drinking. By 2004, 13 communities in San Diego County, including the county itself, passed some form of social host legislation (Goldberg, 2004). A poll of San Diego County residents in June 2003 showed 91% of residents agree that it is wrong for adults to provide alcohol to minors; 60% of respondents believe it is always wrong for parents to provide alcohol to their children ages 15-17 in their home as a safer alternative to consuming alcohol outside the home (Institute for Public Strategies, www.publicstrategies.org).

3. Restrict alcohol advertising and promotion

The Center on Alcohol Marketing and Youth (CAMY) reports that the alcohol industry spent a total of $5.7 billion or more on advertising and promotion in 2002. This figure includes $1.9 billion on alcohol advertising in measured media (television, radio, print,



outdoor, major newspapers and Sunday supplements) and other media (sponsorship, Internet advertising, point-of-sale materials, product placement, brand-logoed items and other means), which the Federal Trade Commission places at three times that of measured media (CAMY website. Fact Sheet: Alcohol Advertising and Youth). Specifically, related to measured media, CAMY reported:

- In 2001, the alcohol industry spent over $31 million and placed 1,441 ads on 13 of the 15 prime time network programs with the largest teen audiences for a representative week.
- Youth saw more beer and distilled spirits advertising than adults in magazines in 2001—45% more for beer brands and 27% more for distilled spirits brands.
- Alcohol advertising was placed on stations with "youth" formats. In 2001 and 2002, 73% of the alcohol radio advertising in terms of gross ratings points was on four formats—Rhythmic Contemporary Hit, Pop Contemporary Hit, Urban Contemporary and Alternative—that routinely have a disproportionately large listening audience of 12- to 20- year-olds.

Advertising messages equate alcohol with fun, sex, music, sports, and adult glamour while making no mention of harmful consequences. Media messages suggest it is the norm to drink, and abstinence is rarely considered as an option. When alcohol-related problems are portrayed, the focus is on individual responsibility. Of particular concern, as noted above, are practices that target or appeal to youth: sponsorship of sports, music, and festivals; billboards near schools and recreation areas; marketing of novelty items (clothing, sports equipment, promotional items); contests; and websites.

The University of Minnesota Alcohol Epidemiology Project website provides a wide range of advertising and promotion controls communities could implement as either ordinances or voluntary measures:

- Ban placement of ads on public transportation vehicles and shelters, on supermarket carts, point of sale merchandising, schools, and theme parks.
- Use counter-advertising through public service announcements.
- Restrict sponsorship of sports, festivals, rodeos, and musical events.
- Require health-warning labels on all advertising.
- Ban advertising in or near schools and campuses, residential areas, and faith organizations.
- Implement school bans on wearing of clothes with advertising.
- Increase truth in advertising.
- Reduce the disproportionately high number of alcohol billboards in low-income neighborhoods.

In addition, communities have conducted awareness and media advocacy campaigns regarding strategies used by the alcohol industry to target youth and other populations,



particularly industry marketing strategies targeted to ethnic minority communities. For example, the "Cinco de Mayo con Orgullo (with pride)" campaign seeks to counter the alcohol industry's influence in the Latino community and co-option of cultural celebrations as drinking holidays (De Lucio-Brock, 2003).

Table 2.
High Levels of Public Support for Alcohol Advertising Policies

- Ban on youth-oriented packaging of alcohol – 70%
- Ban liquor ads on television -- 67%
- Ban beer & wine ads on television -- 59%
- Prohibit billboard ads for alcoholic beverages -- 61%

Alcohol Epidemiology Program, University of Minnesota. December 2002.
www.epi.umn.edu/alcohol

Alcohol advertising and promotion strategies are pervasive in developed countries. Attempts to legislate and control advertising have produced mixed results. Marketing has become more sophisticated with multiple channels to reach adults and youth. A major source of promotion is via the Internet, a particularly difficult venue to control. Babor et al. claim that research on advertising and promotion is limited both in the impact on alcohol consumption and environmental strategies to control it. Industry self-regulation has been largely insufficient and ineffective. They argue that the public health community cannot compete with the influence and funding of alcohol advertising without the help of policymakers "to create a more level playing field "(2003:183). In a critique of their conclusions, David Jernigan contends that the authors have overlooked studies of effective media campaigns, especially tobacco counter- advertising campaigns and the role of media advocacy in setting the public agenda for policy change. These strategies are essential pieces of a systems approach to addressing alcohol problems and countering the influence of alcohol promotion strategies on community norms (Society for the Study of Addiction to Alcohol and Other Drugs, 2003:1361).

4. Change social norms

Many of the policy strategies described above are intricately associated with community norms concerning alcohol. Weak laws and lax enforcement send powerful messages about the community's tolerance for alcohol abuse and youthful drinking. Conversely, public policy can reflect the community's awareness and support for creating a healthier and safer community by controlling the conditions of alcohol use. Public opinion polls show a high degree of community support for enforcing alcohol policies, particularly the MLDA and drinking and driving laws (see CSPI and University of Minnesota Alcohol Epidemiology Project websites).

Toomey and Wagenaar (1999:102-107) point out that in addition to government or public policy, there are several policy options that various community sectors can use to change the conditions of alcohol consumption and reduce alcohol-related problems. These policies are voluntary and may be formal or informal. While voluntary policies



have not proven to be as effective as mandatory policies, they contribute to community norms by setting standards for acceptable behavior regarding alcohol promotion, sales, and consumption. Some examples include:

- Alcohol retailers - require age identification checks, serve drinks in standard sizes, train servers/sellers.
- Alcohol industry - eliminate use of ads appealing to youth.
- Colleges/universities - ban sponsorship, prohibit beer kegs, ban alcohol on campus.
- Hotels/motels - restrict age of room renters; e.g., to those over 18.
- Insurance industry - provide premium discounts for outlets that train servers.
- Law enforcement agencies - walk through alcohol outlets, conduct compliance checks.
- Media - ban alcohol advertisements, portray responsible alcohol use, limit pro-alcohol use messages.
- Religious institutions - restrict access to alcohol at social events; prohibit use of alcohol as a prize.
- Schools - ban alcohol on school property and/or at all school events.
- Sport stadiums - ban alcohol ads, stop alcohol sales before end of event, prohibit individuals from bringing in their own alcohol, restrict alcohol sales and consumptions to specific areas.
- Worksites - restrict alcohol at work events; prohibit use of alcohol as bonus.

In addition to the policies listed above, employers can practice responsible beverage service at company parties or receptions where alcohol is served (no open bars, check ID) and community festival organizers can set policies to refuse sponsorship or donations from alcohol companies, restrict alcohol consumption and sales at their events or ban it altogether for youth-oriented events.

Overview of Research on Policy Strategies

Over the years, there have been several studies attempting to summarize the state of research on the effectiveness of various strategies to control alcohol and reduce alcohol-related problems: studies on underage drinking (IOM, 2002), college binge drinking (NIAAA, 2002), and policy (Alcohol Epidemiology Program, 2000; Babor et al., 2003; SAMHSA, 1999). The reviews consistently report that the most effective strategies are alcohol taxes, the minimum legal drinking age, graduated licensing for novice drivers, zero tolerance laws for underage drinking and driving, and visible and vigorous enforcement of alcohol policies.

The most recent study (Babor et al., 2003) provides a "consumer's guide" to policy strategies and interventions with ratings on scientific evidence of effectiveness, breadth



of research, cross-cultural studies, and relative cost to implement and sustain. They also include the impact on three target groups: the general population, high-risk drinkers (e.g., adolescents or pregnant women), and harmful drinkers (those already beginning to experience alcohol-related problems). The review identifies ten policy options as "best practices."

TABLE 3
Alcohol, No Ordinary Commodity: Effective Policy Strategies

1. Minimum legal purchase age
2. Government monopoly of retail sales
3. Restrictions on hours or days of sale
4. Outlet density restrictions
5. Alcohol taxes
6. Sobriety check points
7. Lowered blood alcohol concentration (BAC) limits
8. Administrative license suspension
9. Graduated licensing for novice drivers
10. Brief interventions for hazardous drinkers

In sum, according to Babor et al. (2003), the strongest strategies that demonstrate reductions at the population level are availability restrictions, taxation, and enforcement. Conversely, the least effective strategies or interventions are education and public service messages. According to the authors, these strategies also have a poor cost-benefit ratio.

Treatment strategies have medium effectiveness and limited impact on drinking problem rates of the general population. Similarly, in terms of impact, the authors contend that on-premise policy strategies such as responsible beverage service have more limited public health impact because most drinking in developed countries does not occur in bars and restaurants. They also point out that effectiveness is dependent upon enforcement.

Strategies with a low effectiveness rating include college student education, warning labels, voluntary codes of bar practice, promoting alcohol-free activities and events, and designated drivers and ride services.

More research needs to be done on many of the policy options, such as social host and server liability laws, advertising restrictions, designated driver programs, and the integration of multiple strategies. Babor et al. note that alcohol policies rarely operate in isolation; local communities are more likely to succeed by restructuring the drinking environment through a comprehensive, community-based approach, which uses multiple strategies (2003:271).



Integrating Policy Strategies into the Environmental Prevention Model

The environmental prevention model is a systems approach and provides a framework for communities to create effective and sustainable change. Key elements of an environmental prevention model are community organizing, data collection and application, policy, media advocacy, and enforcement. Policy development is the heart of environmental prevention. The next section offers suggestions on how policy advocacy is integrated with other components of the environmental prevention model.

Data

This component of the environmental prevention model focuses on the strategic use of data to identify the problem, develop strategy, plan and implement interventions, and monitor progress. Data collection and analysis should be ongoing throughout the project. Initial collection of data to establish baseline will be invaluable in measuring outcomes later, but as the project unfolds, public health advocates can use data to fine tune strategy, craft media messages, and support the rationale for policy options.



Table 4 lists data useful for establishing an environmental prevention program.

Table 4	
Data	**Source**
Alcohol/Drug-Sensitive Information Planning System (ASIPS) or Geographic Information System (GIS). Preventionists and police departments use these data to identify location and clustering of outlets in a community that they can cross-tabulate with crime rates, accidents, noise complaints, etc.	Police departments. Researchers (e.g., Fried Wittman and Richard Scribner have published papers and worked with communities to apply this information and software)
Community demographic data, including ethnic/racial composition	US Census, county profile data, city and county government websites
Crime statistics, arrests, calls for service	Police departments
Driving Under the Influence (DUI), alcohol-involved motor vehicle injuries and deaths	Statewide Integrated Traffic Records System (SWITRS) —California Highway Patrol
Economic costs of alcohol abuse	NIH, NIAAA, NIDA for national data. Some state and county alcohol and drug control agencies have collected local data. See relevant agencies for estimates of other costs such as vandalism, police calls for service, trash pick up, costs to businesses.
Injuries and deaths due to alcohol or other drug use	Emergency Medical Services, Hospital Discharge Data, county profiles
Alcohol licensees, laws and regulations. Number of licensees, location, outlet density, serving and sales practices, local and state alcohol laws, complaints, and/or violations.	State or local liquor control authority
State or local survey data on underage and binge drinking. Some surveys have components that collect information on youth access to alcohol, including attitudes about ease of access and where youth obtain alcohol	Youth Risk Behavior Survey (YRBS). A survey administered to youth through the school system. In California, the YRBS is called the California Healthy Kids Survey.



Depending on time and resources, other data that the coalition can create or compile include:

- Key informant interview/focus group data. Local colleges, universities, or prevention professionals may be able to help with survey/interview design and analysis and conducting focus groups. Conducting key informant interviews is a good activity for coalition members. This helps build knowledge about the community and issues related to alcohol beverage service and provides insight into potential barriers. It is also a means to recruit key stakeholders.

- Media coverage of alcohol problems and solutions in the community. Assess the extent and quality of coverage relating to beverage sales and service practices. This information is important to collect as baseline. One of the outcomes is to change community norms regarding alcohol prevention and control strategies. Change in content as well as quantity of media coverage is a good indicator of community norms change.

- POLD (Place of Last Drink). The POLD is a questionnaire used in drinking driver programs to identify where the driver had his/her last drink before being arrested. An agency in your community may already collect these data—a good source may be a local hospitality council or substance abuse prevention agency. If they do not already collect POLD, they may be willing to help you collect this information.

- Public opinion polls. Polls are useful in assessing the public's perception of problems and support for various solutions. In addition to national polling, check whether other organizations in your community have conducted polls; for example, the Institute for Public Strategies has conducted a number of alcohol policy polls in San Diego County. Higher education institutions, especially social science departments or social research are also sources for polling data and assistance. See the Reference section for other sources of polling on alcohol policy issues that can be used to support your goals. While people tend to prefer local poll data, costs to collect it may be prohibitive. Good quality national polls can serve the same purpose in showing the extent of public support for various policies.

Community Organizing

Research studies show that community coalitions can be effective in addressing substance abuse. Coalitions serve several functions in bringing about community change. They increase credibility by involving key stakeholders and community opinion leaders. Coalition members bring different perspectives, skills, and access to various community sectors and individuals who can help create change. Furthermore, having a broad-based community coalition counters concerns that a special interest group, one that does not truly represent the community, desires change. Community coalitions facilitate the adoption of changes in community norms.



In addition to enhancing credibility and access, community coalitions provide a wealth of talent and expertise that is invaluable in policy advocacy. Typically, coalition members include prevention and public health and medical professionals, youth, community-based organization members, public officials and law enforcement officers, members of the business, education, and faith communities, fire fighters, school and university faculty, staff and students, and military officials (in those communities with a military presence). It is imperative to ensure that the coalition reflects the ethnic and racial diversity in the community, is sensitive to cultural differences, and uses culturally appropriate communication strategies.

Media Advocacy

A valuable tool in creating environmental change, media advocacy, is the strategic use of media to gain public and policymaker support for policy goals and changing community norms. There are several ways to use media advocacy strategies to support policy program goals. They can bring public attention to the problems created by intoxication and underage drinking. More important, though, media advocacy sets the public agenda and advances policy-based solutions. Media advocacy frames issues to emphasize that problems are a shared community responsibility, and as such are amenable to change. Finally, it empowers community members to take control of conditions affecting public health. This is an essential element in restructuring the drinking environment.

Enforcement

Enforcement of policy is key to changing community norms and making long-lasting change. Media stories reporting enforcement and penalties applied can support the expectation that violators will experience consequences and at the same time reinforce community norms and values regarding public health policy.

In the Community Trials Project, researchers documented media coverage of alcohol-related issues, particularly drinking and driving. They found that media advocacy increased news generated by community members, in both print and broadcast media, and increased coverage of DUI enforcement, changing the public perception of likelihood of arrest for drinking and driving (Holder and Treno, 1997).

Putting it altogether—planning for policy change

Achieving policy change requires good planning. It is important to be clear about how policy will address the problem identified, whether and what kind of political action it will require, e.g., mandatory (laws, ordinances) or voluntary, and the advantages and disadvantages of each type. A strategic policy plan should answer the following questions (adapted from Wilbur et al. 2003):

1. Who can make the change (city council, planning board, business owner)?

2. Who influences their decisions?

3. Why should this change be made?

4. What kinds of data and other information are needed?



5. What are arguments in favor? Against?

6. Who is likely to oppose?

7. How can you counter their arguments?

8. Do you have a media plan?

9. What actions will be taken?

10. Who will do them?

11. When?

As noted above, the strategic plan should include a media plan. Appendices A and B contain templates respectively for strategic policy and media plans.

Evaluation

Evaluation is not a task that should be left to the end of the project. It is critical to plan for evaluation from the beginning. Be specific about what project outcomes are desired and how they can be measured. Have a well thought out logic model that describes the rationale for the project goals and objectives. Determine indicators of change and monitor progress regularly to ensure the project is on the right track. This allows project staff and coalition members to adjust or change strategies that are not working well.

Examples of progress indicators include:

- Public awareness and support for policy goals/strategies (opinion polling, letters to the editor, calls/letters to public officials)
- Media support (quantitative: number of media hits; qualitative: editorial support, feature articles supporting or at least reporting the proposed solution)
- Policy change (number and quality of policies introduced and enacted)
- Law enforcement activities (compliance checks, shoulder taps, DUI checkpoints, enforcement of new policies)
- Reductions in alcohol-related problems (track crime rates, vandalism, etc)
- Drinking behavior/attitudes have changed positively (surveys, self report, observational)
- Key informants' understanding of and support for policy change (interviews, actions taken)
- Coalition membership (numbers of new members and sectors they represent, participation in project activities, training, ability to get and retain funding)
- Juvenile arrests for criminal offenses such as DUI, violation of alcohol laws or other offenses commonly associated with alcohol use such as disturbing the



peace, disorderly conduct, and vandalism (California Governor's Interagency Coordinating Council for the Prevention of Alcohol and Other Drug Problems strategic plan).

Outcome measures for prevention include:

- Age of onset of alcohol use
- Frequency of use in the past 30 days, two weeks, or other period
- Perception of risk or harm
- Quantity of alcohol consumed on one occasion (binge drinking)
- Perception of disapproval of use by peers and adults

However, depending on the period for the project and its goals, policy enactment and reduction of alcohol-related problems may also be outcome measures.

Finally, careful evaluation will contribute to the body of literature on environmental strategies and provide more information on those factors that enhance successful implementation.

Challenges in implementing policy strategies

Environmental prevention is intimidating to many who contemplate working on policy issues. Barriers include lack of knowledge, training, or experience about the political process, or simply the distaste for working in "that arena." People express fears about being controversial, making enemies, being confronted, perhaps even losing their job. These may indeed be valid concerns but there are ways to avoid potential problems and compensate for limitations.

Policy strategies are intended to change the conditions of alcohol use in the community, which is bound to upset those who benefit from the status quo. It can be expected that they will resist, and in some cases, quite strongly, with all their resources and influence, as public health advocates have found when they have come up against the tobacco and alcohol industries. On the community level is concern about relationships within the community—friends, neighbors, and colleagues who have links to the alcohol commercial sector, and the impact advocacy will have on those relationships.

In addition to personal concerns about advocacy, there are institutional barriers.

One consideration is the multiple relationships that occur among community institutions and organizations. Thus, an organization clashing with City Hall on one issue may have legitimate concerns about the impact this disagreement will have on their ability to work together on other issues. Nonprofits concerned about losing public funding may not want to engage in a public challenge.



Those who work in the public sector and for corporations are generally barred from making public or company policy. For example, a public health employee may not publicly support an increase in alcohol taxes if it is not the policy goal of the current administration.

Careful planning and sound community organizing can overcome many of these barriers. A strong, broad-based community coalition including key stakeholders lends credibility and support, and provides a diversity of skills, talents, and expertise, as noted previously. Government agencies, nonprofit organizations such as faith-based, health, and social service organizations can take on various roles or alternate leadership depending on the issue. In the example above concerning increasing taxes, one of the nongovernmental organizations can take the lead; the public health agency could still provide information on the issue.

There are a variety of ways that people can contribute: public speaker, strategist, legal expert, writer, graphic artist, community organizer, media relations specialist, event organizer, etc. With that said, leadership commitment and ability to direct a policy advocacy campaign is critical. Some who are effective leaders in certain areas may not have the desire or temperament to do policy work.

Community members and public health advocates have much to gain by learning and applying environmental strategies. They will not only be able to promote positive change in their communities, but they will increase their capacity to apply these strategies and techniques to a broad range of public health and social issues.

Conclusion

There are many resources available to help prevention professionals and community members who would like to implement policy solutions in their communities. Many advocacy and public health organizations offer suggestions for using the political process successfully. Web sites listed at the end of this document offer a wealth of information on this topic and associated implementation strategies. Also, see Appendix C in this publication, *Tips for Working Effectively with Policymakers.*

The Center for Substance Abuse Prevention PEPS series, although somewhat dated now, is a useful source for program developers. The series on alcohol availability contains three guides targeted respectively to those who want a comprehensive review of research on strategies to control availability (reference guide), a community guide with a more concise review of effective policies targeted to community members and decision makers, and a practitioner's guide for program developers and planners.

This Technical Assistance Research Publication was brought to you by the Community Prevention Institute (CPI). CPI is a project funded and directed by the California Department of Alcohol and Drug Programs and administered by the Center for Applied Research Solutions. CPI offers the Prevention Extension Workshop Series, which aims to make state-of-the-art research and practices in the field of alcohol and other drug (AOD) prevention more accessible to communities throughout California. The series addresses emerging issues and proven practices in the AOD prevention field. Take advantage of these workshops and the on-site technical assistance provided at no cost through CPI. You may specifically request training in how to implement policy strategies to reduce binge and underage drinking in your community at www.ca-cpi.org.



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Websites

APIS Alcohol Policy Information System. NIAAA.

http://alcoholpolicy.niaaa.nih.gov/

Updates on state legislated alcohol policies. Beverage Service Training and Related Practices. State policies, mandated and voluntary.

Alcohol Policy Solutions.

http://www.alcoholpolicysolutions.net/

Website for the Robert Wood Johnson Foundation-American Medical Association national projects, A Matter of Degree: Reducing High Risk Drinking among College Students and Reducing Underage Drinking through Coalitions. Policy and media advocacy materials and tools; college binge drinking case study, media kits; public opinion polls; policy papers.

Berkeley Media Studies Group

www.bmsg.org

Media advocacy case studies, training, issue briefs, framing memos, content analyses of TV and newspaper coverage of various public health topics, including alcohol, youth and violence, and children's health.

Center for Applied Research Solutions

www.cars-rp.org

Home of the Community Prevention Institute and other no-cost technical assistance and training projects, including Safe and Drug Free Schools and Communities, Mentoring and the State Incentive Grant.

California Department of Alcohol and Drug Programs

www.adp.ca.gov/

Prevention Services Division strategic plan, community indicators, prevention resources, grant information, and fact sheets.



Center for Alcohol Marketing and Youth

www.camy.org

Reports and data on alcohol advertising, news releases, fact sheets, and action alerts.

Center for Science in the Public Interest (CSPI). Alcohol Policy Project

www.cspinet.org

Action alerts, public opinion polls, fact sheets, publications, and special projects (e.g., college binge drinking, taxes).

Centers for the Application of Prevention Technologies (CAPT)

www.captus.org

A program of the Center for Substance Abuse Prevention (CSAP). Provides resources and technical assistance regarding the translation of substance abuse prevention research to practice. Contains planning and best practices tools.

Higher Education Center for Alcohol and Other Drug Prevention

www.edc.org/hec

Environmental Risk Assessment Guide. Publications, statistics, case studies on reducing college binge drinking, and news clippings.

Institute for Public Strategies

www.publicstrategies.org

Policy and media advocacy materials and tools, public opinion polls, fact sheets, and issue briefings on environmental prevention strategies and programs.

National Clearinghouse for Alcohol and Drug Information (NCADI)

www.health.org

A variety of publications, statistics, and information about programs and government initiatives.



The National Survey on Drug Use and Health (formerly the National Household Survey on Drug Abuse)

www.DrugAbuseStatistics.samhsa.gov

Pacific Institute for Research and Evaluation (PIRE). Underage Drinking Enforcement Training Center.

www.udetc.org

Training, publications, guides for communities working to reduce underage drinking through law enforcement environmental strategies. Established by the Office of Juvenile Justice and Delinquency Prevention.

Substance Abuse and Mental Health Services Administration (SAMHSA). Center for Substance Abuse Prevention (CSAP).

www.samhsa.gov

Information on model programs, prevention profiles, state data, fact sheets, training and technical assistance.

University of Michigan Institute for Social Research, Monitoring the Future (MTF), National Results on Adolescent Drug Use.

www.monitoringthefuture.org.

This report, tracking behavior and perceptions of 8th, 10th and 12th graders, appears annually in December. MTF has also collected data on college students.

University of Minnesota, Alcohol Epidemiology Program

www.epi.umn.edu/alcohol

Alcohol policies in the US, research articles on RBS and training of alcohol outlet managers and servers, adolescent drinking, community organizing efforts, community prevention trials, alcohol-involved traffic crashes, natural experiments with changes in state and local alcohol policies, and public opinion surveys.



About the Author

Sandra A. Hoover, Ph.D., M.P.H

Sandra A. Hoover, Ph.D., M.P.H. has approximately twenty years of experience in the alcohol, tobacco and other drug (ATOD) prevention field including work in program design and strategic planning, policy change and advocacy, training and technical assistance for community-based programs, publications, and program management.

Since February 2003, Dr. Hoover has been consulting for national, state, and local organizations, including The Center for Applied Research Solutions in Folsom, California, Johnson, Bassin & Shaw, Inc, in Silver Spring, MD, as well as public and community agencies. Activities include participation in state assessment review teams on ATOD prevention systems, content research and preparation of prevention training courses, issue briefings, fact sheets, and other program materials, and training.

Dr. Hoover's experience includes working for the Institute for Public Strategies (IPS) where she has served as Director of Policy Development, working in the Border Project to Reduce Underage and Binge Drinking along the San Diego-Tijuana border, coordinating the Southern California Prevention Exchange, and the Technical Assistance and Training Project. Prior to returning to California, Dr. Hoover worked five years as Deputy Director for a Robert Wood Johnson Foundation-funded initiative, A Matter of Degree: Reducing Binge Drinking Among College Students (AMOD) in the American Medical Association's Office of Alcohol and Other Drug Abuse. Previous employment includes ten years at the Maine Bureau of Health as Director of the Community Health Promotion/Chronic Disease Prevention Unit and subsequently, Director of the Tobacco Prevention and Control Unit and Project Manager for the Americans Stop Smoking Intervention Study (ASSIST).

Dr. Hoover is co-author of *Binge Drinking Among College Students*, a chapter in Principles of Addiction Medicine, Third Edition (April 2003). Dr. Hoover has a doctoral degree in cultural anthropology from Indiana University and a Masters in Public Health from the University of Pittsburgh. She has also taught graduate and undergraduate courses in medical anthropology, applied anthropology, and African Studies at the University of Maine, Orono and Duquesne University (Pittsburgh).

APPENDIX A
STRATEGIC ACTION PLAN TEMPLATE

Problem statement (What is the problem? Develop a concise issue statement):

Solution (What is the best way to achieve change?):

Target	Data	Who needs to be involved?	Message	Actions	By Whom	When
Who has authority to implement change?	What data are needed to describe the problem and support the solution?	Who must be mobilized to apply pressure for change?	What message would convince those with the power to act for change?	What needs to be done?	Who will take action?	When does this need to be done?

Adapted from L. Wallack et al. *News for a Change, an Advocate's Guide to Working with the Media*, Sage Publications, 1999.

APPENDIX B
MEDIA ADVOCACY PLAN TEMPLATE

Problem statement (What is the problem? Develop a concise issue statement):

Solution (What is the best way to achieve change?):

Target	Media Channels	Message	Materials	Actions	By Whom	When
A. Who has authority to implement change? e.g. City Council B. Who must be mobilized to apply pressure for change? e.g. voters	What are the best channels to reach targets and those who can apply pressure for change? e.g. newspaper-op ed, radio	What message would convince targets to act for change? Frame for content	What materials need to be created? e.g. fact sheets, media packet, photo, issue brief	What needs to be done? e.g. write op ed, arrange interview with x radio station	Who will take action? e.g. staff, coalition member	When does this need to be done?

Adapted from L. Wallack et al. *News for a Change, an Advocate's Guide to Working with the Media*, Sage Publications, 1999.



Appendix C

Tips for Working Effectively with Policymakers

DO'S for meeting with officials:

- Make an appointment by letter or phone. Sometimes you can just walk in and meet with him or her, but it is not likely.
- Outline in your call or letter the issues you wish to discuss at the meeting. Refer to previous contacts or communications, if any. The official will appreciate a chance to be as knowledgeable about you as possible.
- Restrict your visit agenda to not more than three issues and set priorities.
- Recommend specific solutions to the problems you are discussing.
- Make the people whom the official represents the frame of reference for your presentation. The official will be interested in the problems of your organization as they relate to provision of services to or problems for his/her constituents.
- Develop your presentation so it will be direct, concise, and not excessive in length (plan on 15 minutes). This will help with busy schedules, and your thoughtfulness will be appreciated.
- Prepare a brief written account of the points you wish to make and leave it with the official. This can include documentation of facts you may not have had time to present orally.
- Offer to provide additional information. Ideally, your presentation will inspire him or her to want additional facts.

DON'TS for meeting with officials:

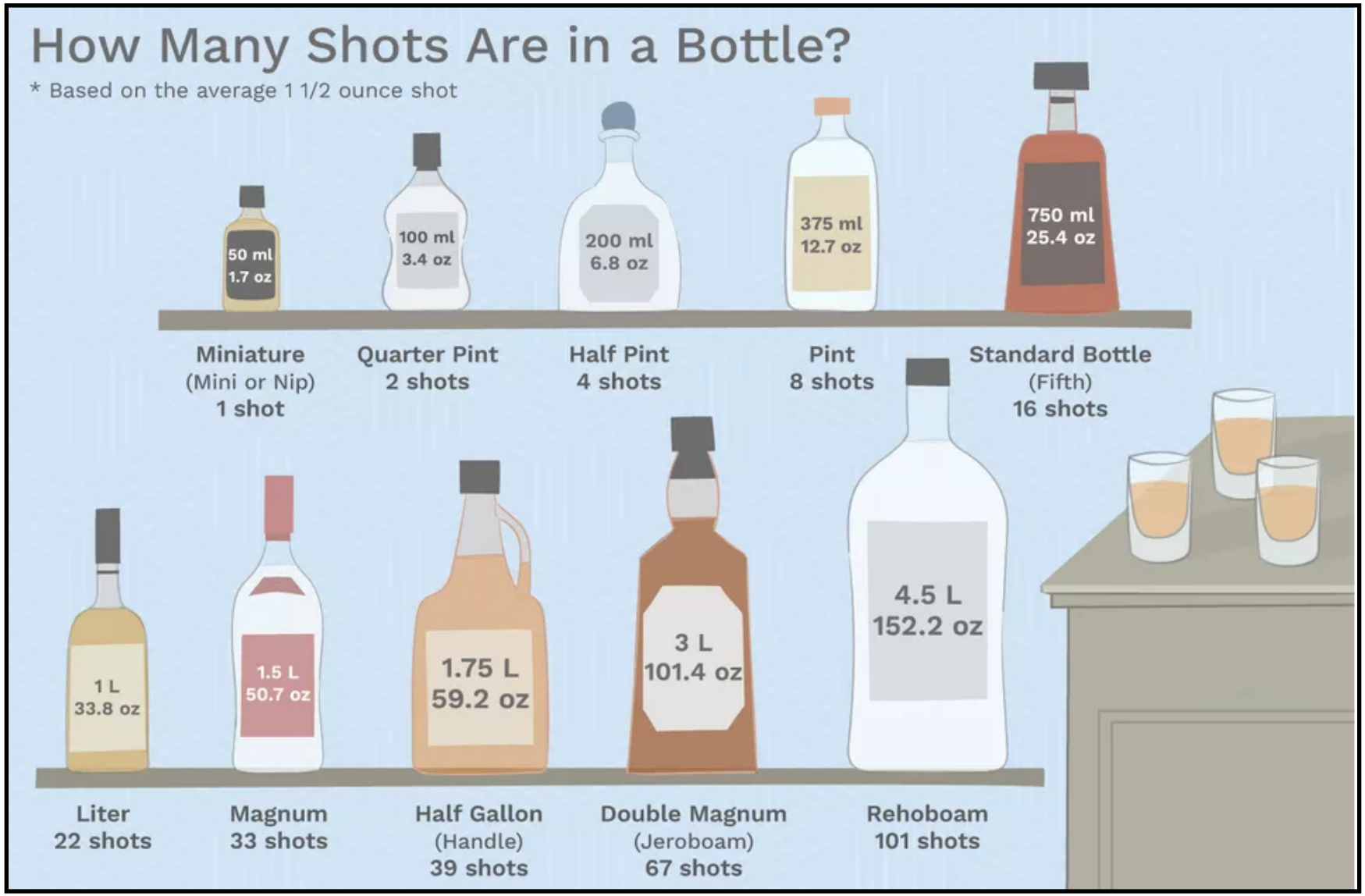
- Don't be late for your appointment.
- Don't be disappointed if the official is late.
- Don't be disappointed if some circumstance prevents the official from making the meeting. Likely, you will see an assistant who will be knowledgeable about your problems and of the official's point of view. You can accomplish just as much under these circumstances. If you can't meet with anyone that day, try again, as (graceful) persistence will pay off.
- Don't overstay your welcome. You may want to come again and this impression will be lasting. Make your brief presentation and if the official wishes to prolong the conversation, you will be able to sense it.
- Don't try to solve all of your problems in one visit. Present only those issues (not more than three) of greatest concern to you and about which the official can do something.

Adapted and excerpted from a variety of sources—Anonymous; Legislative Education Workshop for Nurses; American Home Economics Association; and the Maine Legislature's Clerk of the House.

Attachment 9

Alcohol Bottle Chart

Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)



PETITION FOR USE PERMIT MODIFICATION

This petition is for the modification of the existing Us Permit (UP) No. AP-20-1500 (UP) for Dos Cuñados Market located at 3105 Railroad Ave., Pittsburg, CA.

Under the Approved Resolution 10112 – Section 3 – Decision, Condition No. 5 reads as follows:

"5. Prohibited Products – The sale of the following products shall be prohibited.

a. *Wine in containers less than 750 milliliters.*

b. *Distilled spirits in containers less than 375 milliliters.*

c. *Malt Beverage products, including flavored malt beverage products, with alcohol content greater than 5.5% by volume. A flavored malt beverage product is a malt beverage to which is added an alcoholic or other flavoring ingredient and is labeled or packaged in a manner that is similar to labeling or packaging used for non-alcoholic beverages such as sodas, teas, lemonades, fruit punches, energy drinks, and slushes. Youth-oriented flavored malt beverage products are sold in bright, colorful packaging and are commonly known as 'alcopops'."*

A request has been made to the Pittsburgh Planning Commission (PPC) by Business Owner Amen Saleh to remove Condition No. 5(b). Removal of this condition would allow the distilled spirits to be sold in 200 milliliters containers.

If you are in support of this request to PPC, we appreciate your signature.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

11.
12.
13. ANTONIO RAMIREZ
14.
15.
16. Jose Rodriguez
17.
18. Clifton Holley
19.
20.
21.
22.
23.
24.
25.
26. Roland Aguilar
27.
28.
29.
30. Victor Aguilar
31.
32.
33.
34. DAVID
35.
36.
37.
38.
39. Enrique Mendias Alvarez
40.
41.
42. Salvador Ayala
43.
44. Antonio Villegas
45.
46.
47.
48. RAMON CASTRO
49.
50. Mario Lopez
51. RAFIQ RAHIM
52.
53.
54.
55.
56. Jorge Ramirez
57.
58.
59. Helena O'Dell
60.

61. Ramon Corona
62. [illegible]
63. PATRICK OBRIAN [illegible]
64. Johnyn
65. Daniel Siguero G.
66. [illegible]
67. Jose Bcsma
68. Jose Aguirre
69. [illegible]
70. Esteban Luna Rosas [illegible]
71. Francisco [illegible]
72. Pedro Vazquez
73. Donovan Williams
74. Jesus Vázquez
75. Manuel Garcia
76. Pedro Diaz
77. Bryan Contreras
78. Alfredo Avila
79. [illegible] Botero
80. [illegible] Delgado
81. Earl Moore
82. [illegible]
83. Isidro arriaga
84. [illegible]
85. [illegible]
86. [illegible]
87. [illegible]
88. [illegible]
89. Odilon Longoria
90. [illegible]
91. [illegible]
92. [illegible]
93. CESAR [illegible]
94. Raul [illegible]
95. [illegible]
96. [illegible]
97. [illegible]
98. [illegible]
99. [illegible]
100. Jorge Gutierrez
101. JORGE, T
102. [illegible]
103. [illegible]
104. Catalina Barrera-Hurtado
105. [illegible]
106. Jose Lopez
107. Aldo Medina
108. [illegible]
109. Oswaldo Tapia
110. Ignacio Ramirez

Attachment 12

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

NOTICE OF PUBLIC HEARING

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

DATE: **May 26, 2020**
TIME: **7:00 p.m.**
PLACE: **Zoom Teleconference via Streaming Media on the City's homepage, www.ci.pittsburg.ca.us (see public advisory on last page)**

Concerning the following matter:

Dos Cunados Market Use Permit Modification, AP-20-1500 (UP)
This is a continued public hearing on a request for approval of modification to Condition 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of 200ml containers of distilled spirits at an existing convenience store for off-site consumption, where only 375ml or larger, is currently allowed. The project site is located at 3105 Railroad Avenue in the CN (Neighborhood Commercial) District. Assessor's Parcel No. 088-064-026.

PROJECT PLANNER: John Dacey, (925) 252-4824 or jdacey@ci.pittsburg.ca.us

---

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

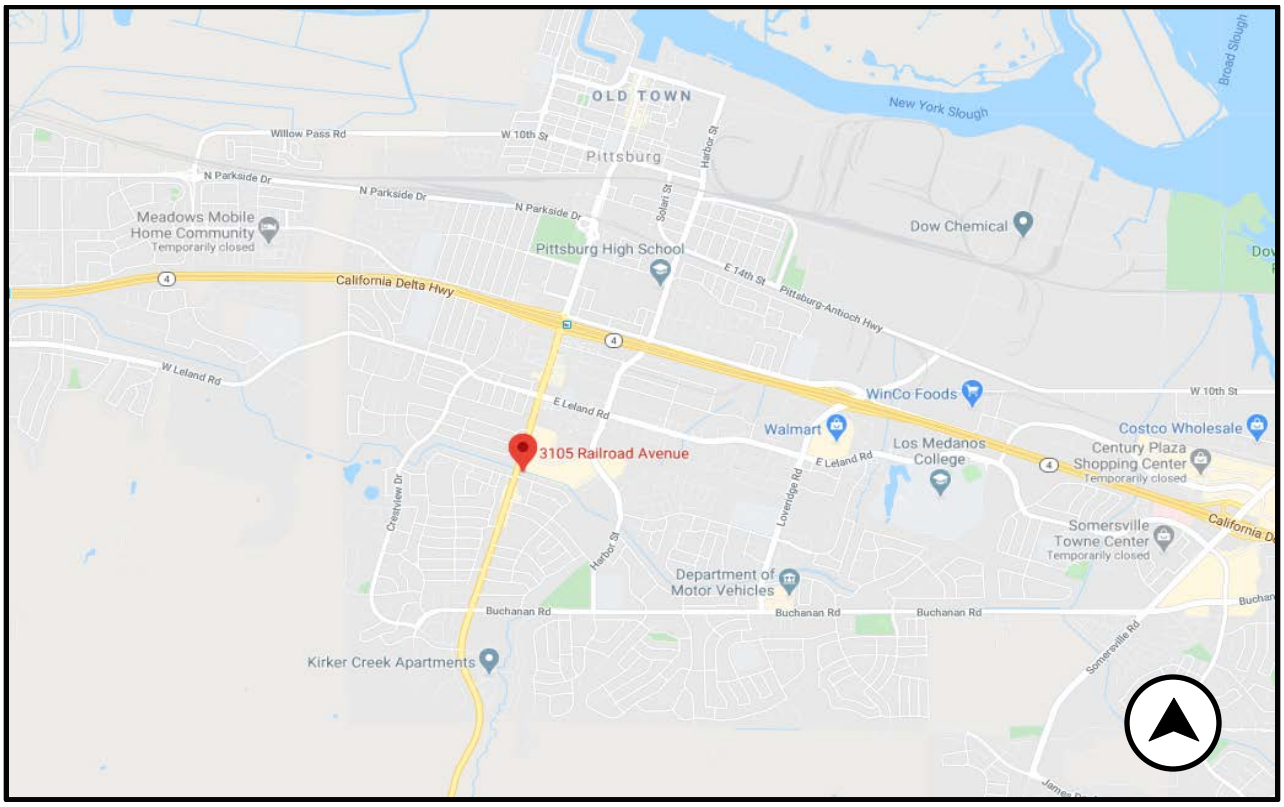
Where can I get more information about this project?
The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

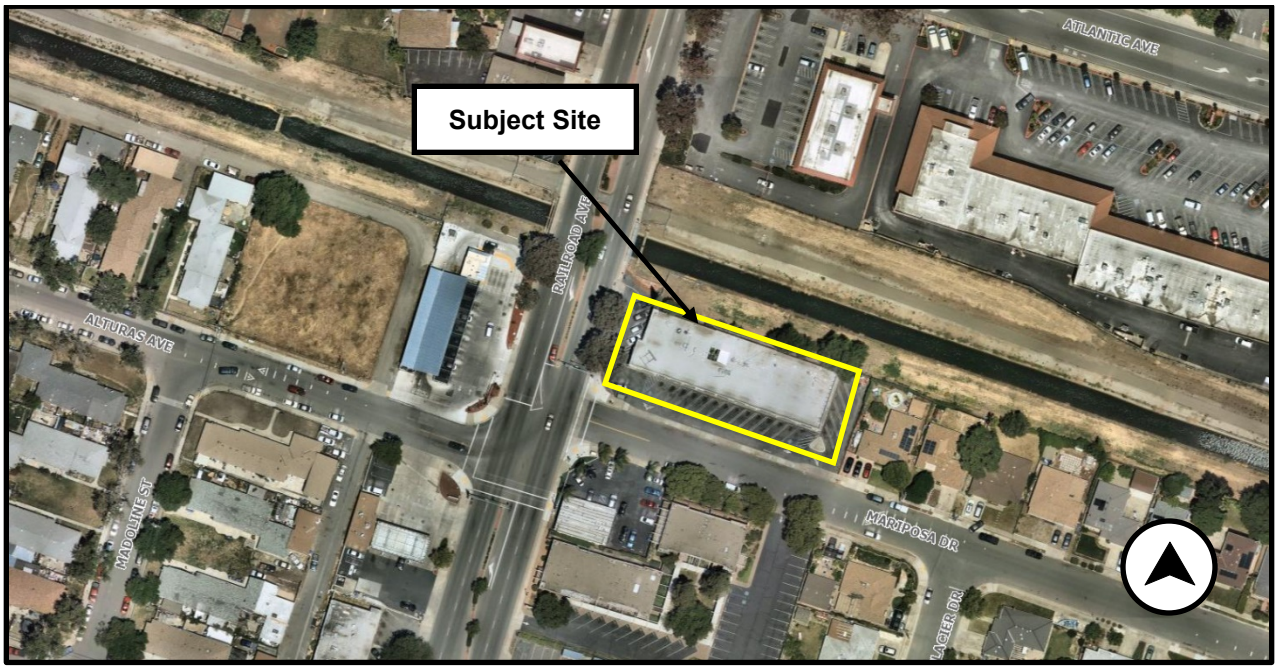
What can I do if I have comments on the project?
Comments or objections to the project can be made by writing or through e-mailed testimony during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. Comments during the meeting can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

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

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Dos Cunados Market Use Permit Modification AP-20-1500 (UP)
Location: 3105 Railroad Avenue, APN 088-064-026





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

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for **May 12, 2020** will be conducted telephonically through Zoom and broadcast live on the City's homepage.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

To view the meeting online during its broadcast:

1. Go to www.ci.pittsburg.ca.us
2. On the right-hand side of the page, click the "Streaming Media" button

Comments on this item can be submitted via email to:
meetingcomments@ci.pittsburg.ca.us

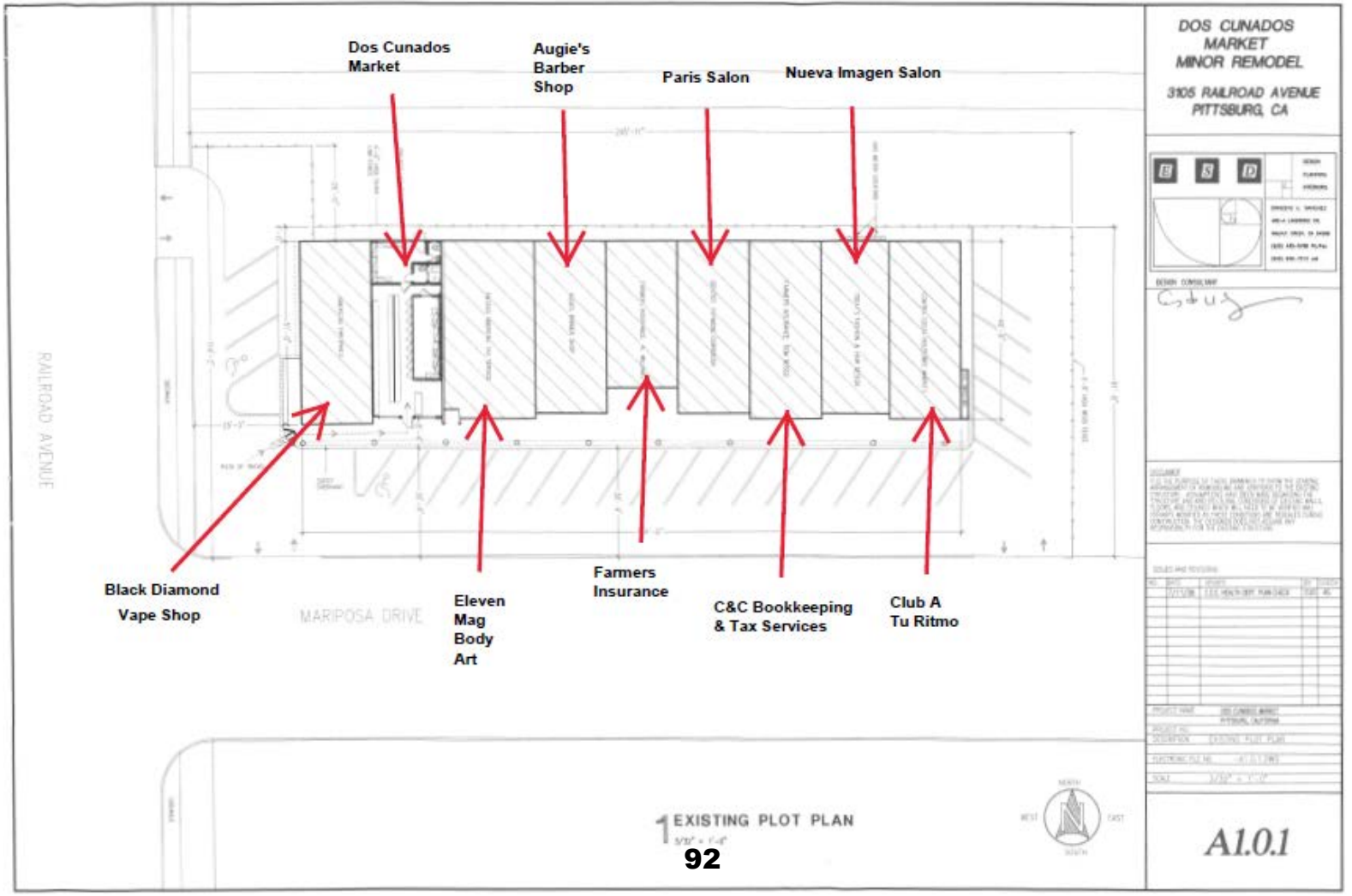
If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON-AGENDA." Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Nextdoor, etc.) will not be accepted.

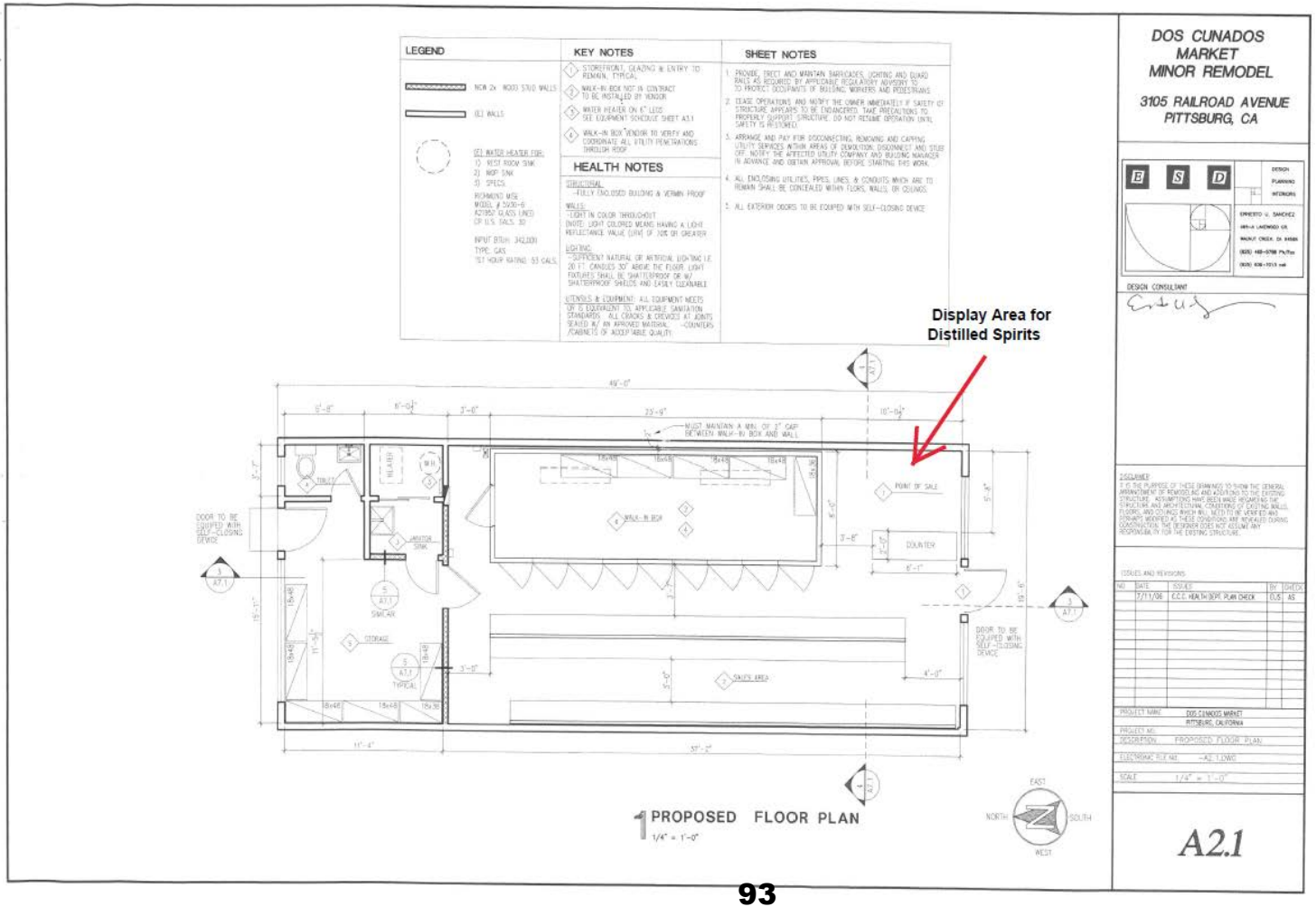
The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

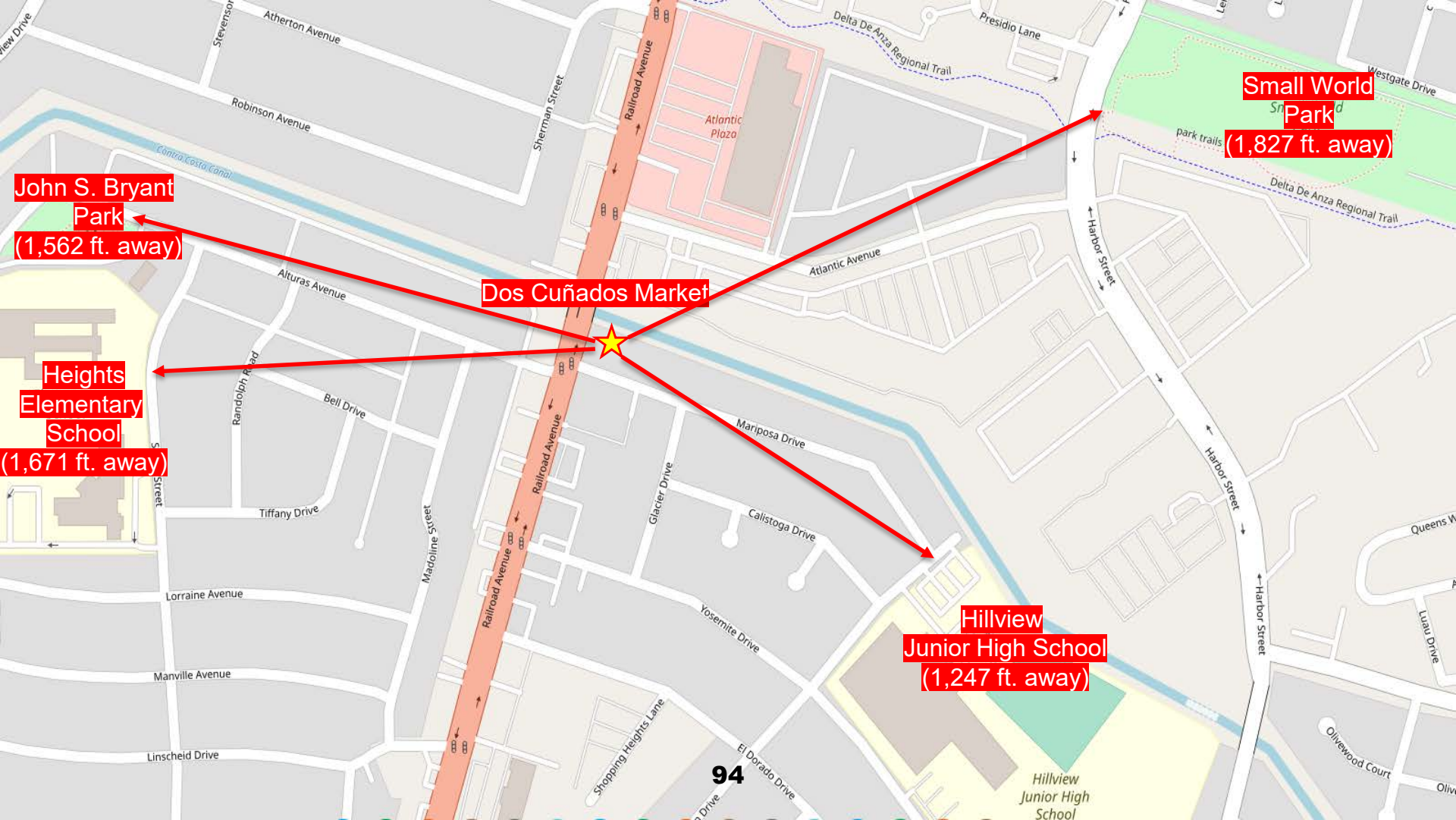
City of Pittsburg

Dos Cuñados Market
Use Permit Modification
AP-20-1500 (UP)


Contra Costa Canal
Pittsburg Towne Center
Superior Car Wash
Atlantic Plaza Shopping Center
Chevron Gas
Pittsburg Auto Liquidators
El Dorado Heights Subdivision
Railroad Ave
Atlantic Ave
Robinson Ave
Alturas Ave
Mariposa Dr
Bell Dr
Tiffany Dr
Calistoga Dr
Glacier Dr
Madoline St
Sherman St
Atlantic Cir
91


Dos Cunados Market
Augie's Barber Shop
Paris Salon
Nueva Imagen Salon
DOS CUNADOS MARKET
MINOR REMODEL
3105 RAILROAD AVENUE
PITTSBURG, CA
RAILROAD AVENUE
MARIPOSA DRIVE
Black Diamond Vape Shop
Eleven Mag Body Art
Farmers Insurance
C&C Bookkeeping & Tax Services
Club A Tu Ritmo
1 EXISTING PLOT PLAN
A1.0.1


LEGEND
NEW 2x WOOD STUD WALLS
(E) WALLS
(E) WATER HEATER FOR:
1) WEST ROOM SINK
2) WOP SINK
3) SPECS
RICHMOND MSE
MODEL # 5930-6
A21852 GLASS LINED
CP U.S. SALS. 30
INPUT BTUH: 342,000
TYPE: GAS
1ST HOUR RATING: 53 GALS.
KEY NOTES
1 STOREFRONT, GLAZING & ENTRY TO REMAIN, TYPICAL
2 WALK-IN BOX NOT IN CONTRACT TO BE INSTALLED BY VENDOR
3 WATER HEATER ON 6" LEGS SEE EQUIPMENT SCHEDULE SHEET A3.1
4 WALK-IN BOX VENDOR TO VERIFY AND COORDINATE ALL UTILITY PENETRATIONS THROUGH ROOF
HEALTH NOTES
STRUCTURAL
-FULLY ENCLOSED BUILDING & VERMIN PROOF
WALLS:
-LIGHT IN COLOR THROUGHOUT
(NOTE: LIGHT COLORED MEANS HAVING A LIGHT REFLECTANCE VALUE (LRV) OF 70% OR GREATER
LIGHTING:
-SUFFICIENT NATURAL OR ARTIFICIAL LIGHTING I.E. 20 FT. CANDLES 30" ABOVE THE FLOOR. LIGHT FIXTURES SHALL BE SHATTERPROOF OR W/ SHATTERPROOF SHIELDS AND EASILY CLEANABLE
UTENSILS & EQUIPMENT: ALL EQUIPMENT MEETS OR IS EQUIVALENT TO APPLICABLE SANITATION STANDARDS. ALL CRACKS & CREVICES AT JOINTS SEALED W/ AN APPROVED MATERIAL. -COUNTERS /CABINETS OF ACCEPTABLE QUALITY.
SHEET NOTES
1. PROVIDE, ERECT AND MAINTAIN BARRICADES, LIGHTING AND GUARD RAILS AS REQUIRED BY APPLICABLE REGULATORY ADVISORY TO TO PROTECT OCCUPANTS OF BUILDING, WORKERS AND PEDESTRIANS
2. CEASE OPERATIONS AND NOTIFY THE OWNER IMMEDIATELY IF SAFETY OF STRUCTURE APPEARS TO BE ENDANGERED. TAKE PRECAUTIONS TO PROPERLY SUPPORT STRUCTURE. DO NOT RESUME OPERATION UNTIL SAFETY IS RESTORED.
3. ARRANGE AND PAY FOR DISCONNECTING, REMOVING AND CAPPING UTILITY SERVICES WITHIN AREAS OF DEMOLITION. DISCONNECT AND STUB OFF. NOTIFY THE AFFECTED UTILITY COMPANY AND BUILDING MANAGER IN ADVANCE AND OBTAIN APPROVAL BEFORE STARTING THIS WORK.
4. ALL ENCLOSING UTILITIES, PIPES, LINES, & CONDUITS WHICH ARE TO REMAIN SHALL BE CONCEALED WITHIN FLOORS, WALLS, OR CEILINGS.
5. ALL EXTERIOR DOORS TO BE EQUIPED WITH SELF-CLOSING DEVICE
Display Area for Distilled Spirits
49'-0"
MUST MAINTAIN A MIN. OF 2" GAP BETWEEN WALK-IN BOX AND WALL
POINT OF SALE
WALK-IN BOX
COUNTER
TOILET
HEATER
JANITOR SINK
SINKCAR
STORAGE
TYPICAL
SALES AREA
DOOR TO BE EQUIPED WITH SELF-CLOSING DEVICE
DOOR TO BE EQUIPED WITH SELF-CLOSING DEVICE
EAST
NORTH
SOUTH
WEST
1 PROPOSED FLOOR PLAN
1/4" = 1'-0"
DOS CUNADOS MARKET
MINOR REMODEL
3105 RAILROAD AVENUE
PITTSBURG, CA
DESIGN CONSULTANT
DISCLAIMER
ISSUES AND REVISIONS
NO DATE ISSUED BY CHECK
7/11/06 C.C.C. HEALTH DEPT. PLAN CHECK EUS AS
PROJECT NAME DOS CUNADOS MARKET PITTSBURG, CALIFORNIA
PROJECT NO.
DESCRIPTION PROPOSED FLOOR PLAN
ELECTRONIC FILE NO. -A2.1.DWG
SCALE 1/4" = 1'-0"
A2.1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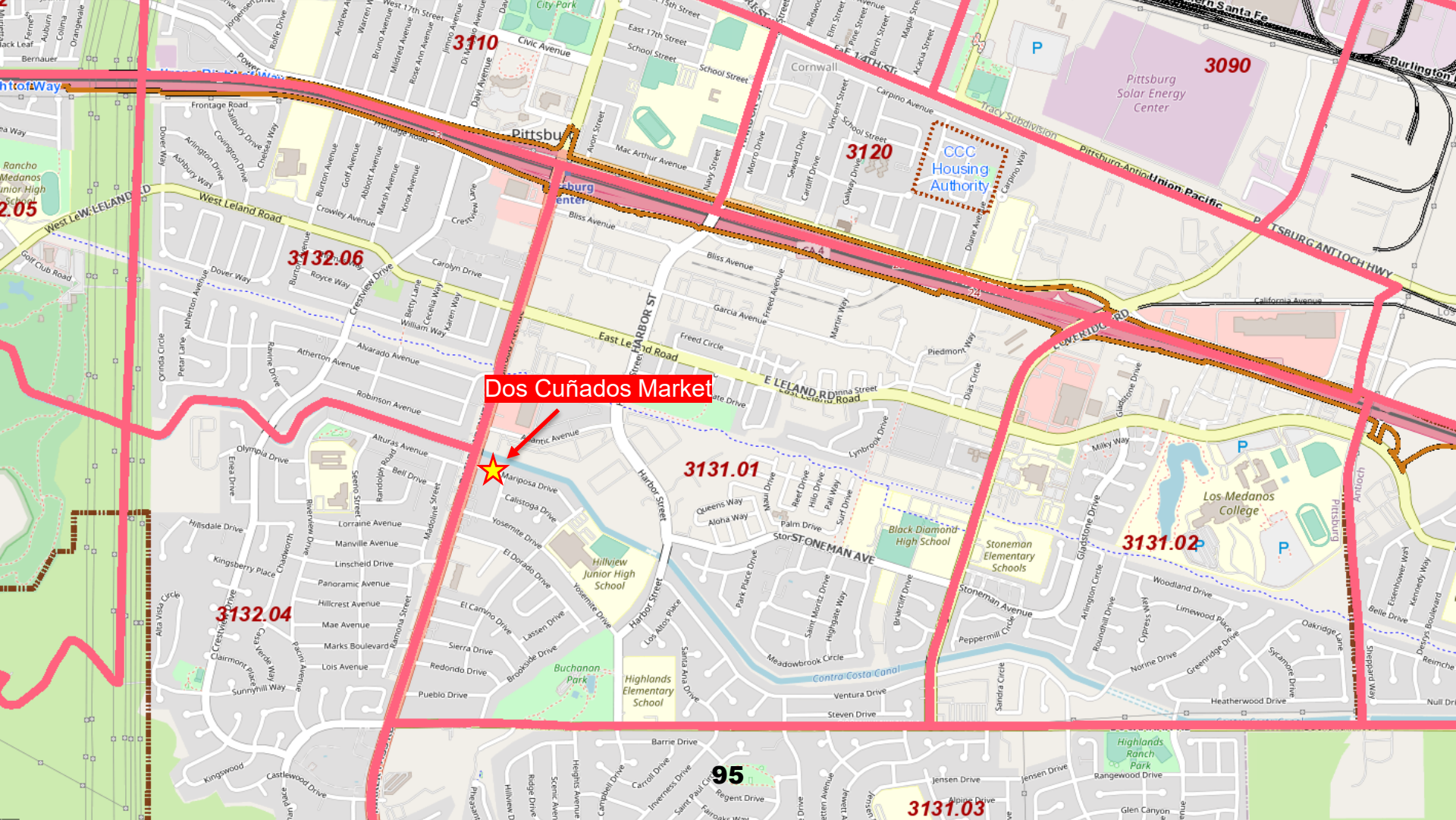
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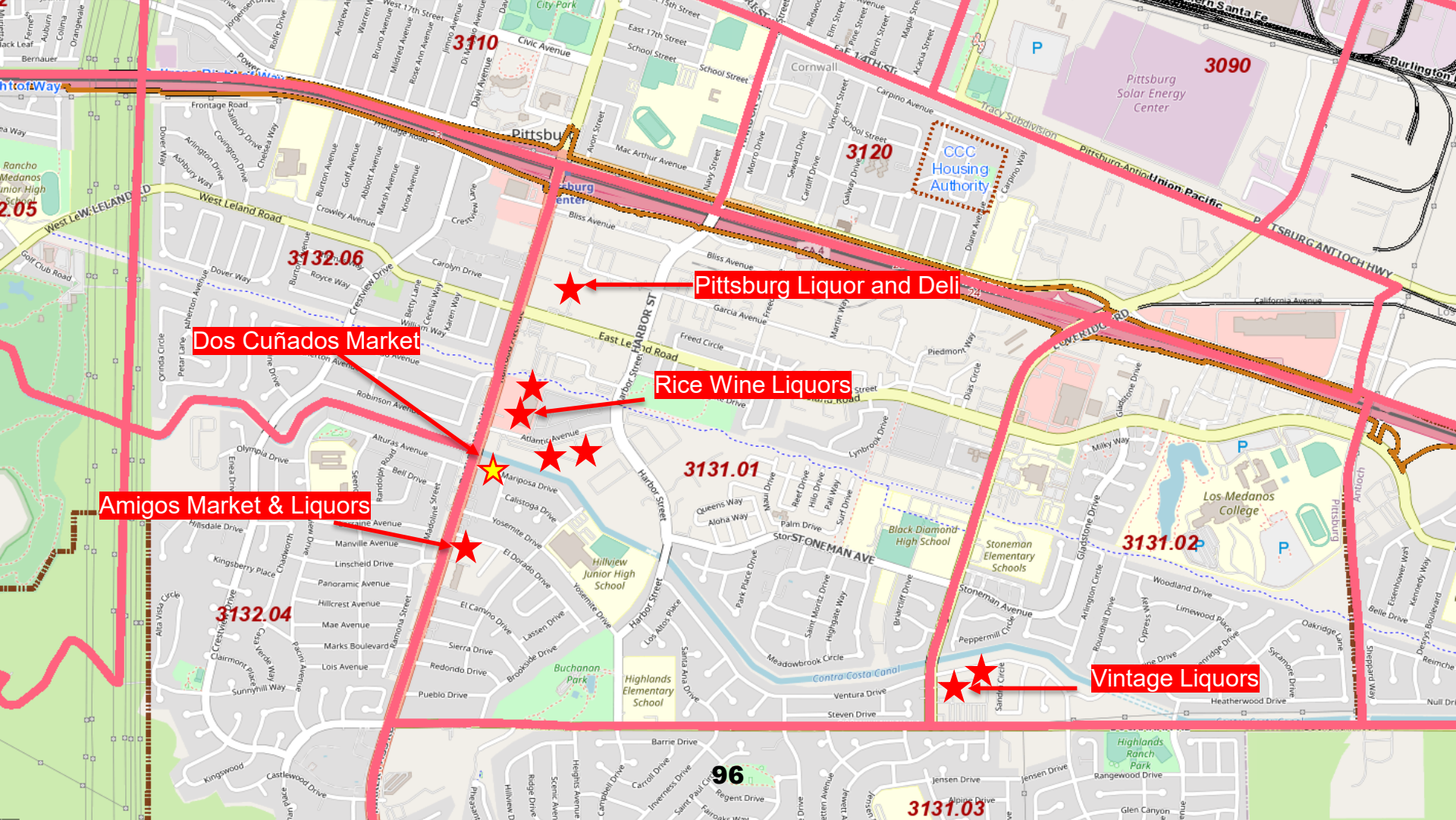
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Daisy Avenue
Power Avenue
Auburn
Colima
Orangevale
Fernell
Bernauer
Jack Leaf
Santa Fe

Dos Cuñados Market Timeline

- Held a Type 20 License (Off-Site Beer and Wine) between 2006-2019
- Obtained a Type 21 License (Off-Site General) in 2019, transferred from Red & Green Food Mart in Antioch
- Previously operated as a non-conforming use, required approval of a use permit, and a public convenience or necessity determination to allow for transfer of the license and upgrade to sell distilled spirits.
- Included conditions limiting on alcohol advertising, beer container size, wine container size, and distilled spirit container size.
- First use permit for Off-Site General alcohol sales within 9 years

Existing Conditions

Prohibiting the sale of:

- wine in containers less than 750 milliliters;
- distilled spirits in containers less than 375 milliliters;
- malt beverage products, including flavored malt beverages;
- wine with an alcoholic content greater than 14% by volume;
- single containers of beer or malt liquor less than 24 ounces;
- cooler products, either wine- or malt-beverage-based, in less than three-pack quantities; and
- alcohol-infused ice cream or ice pops.

Existing Conditions

- Prohibiting the possession and consumption of alcoholic beverages in open containers on or around the premises;
- Limiting the sales hours for alcoholic beverages to the hours of 7:00 a.m. to 10:00 p.m., daily;
- Requiring sales clerks to complete a course in “responsible beverage service training” approved by ABC;
- Limiting the new display area for distilled spirits to 32 linear feet of shelving;

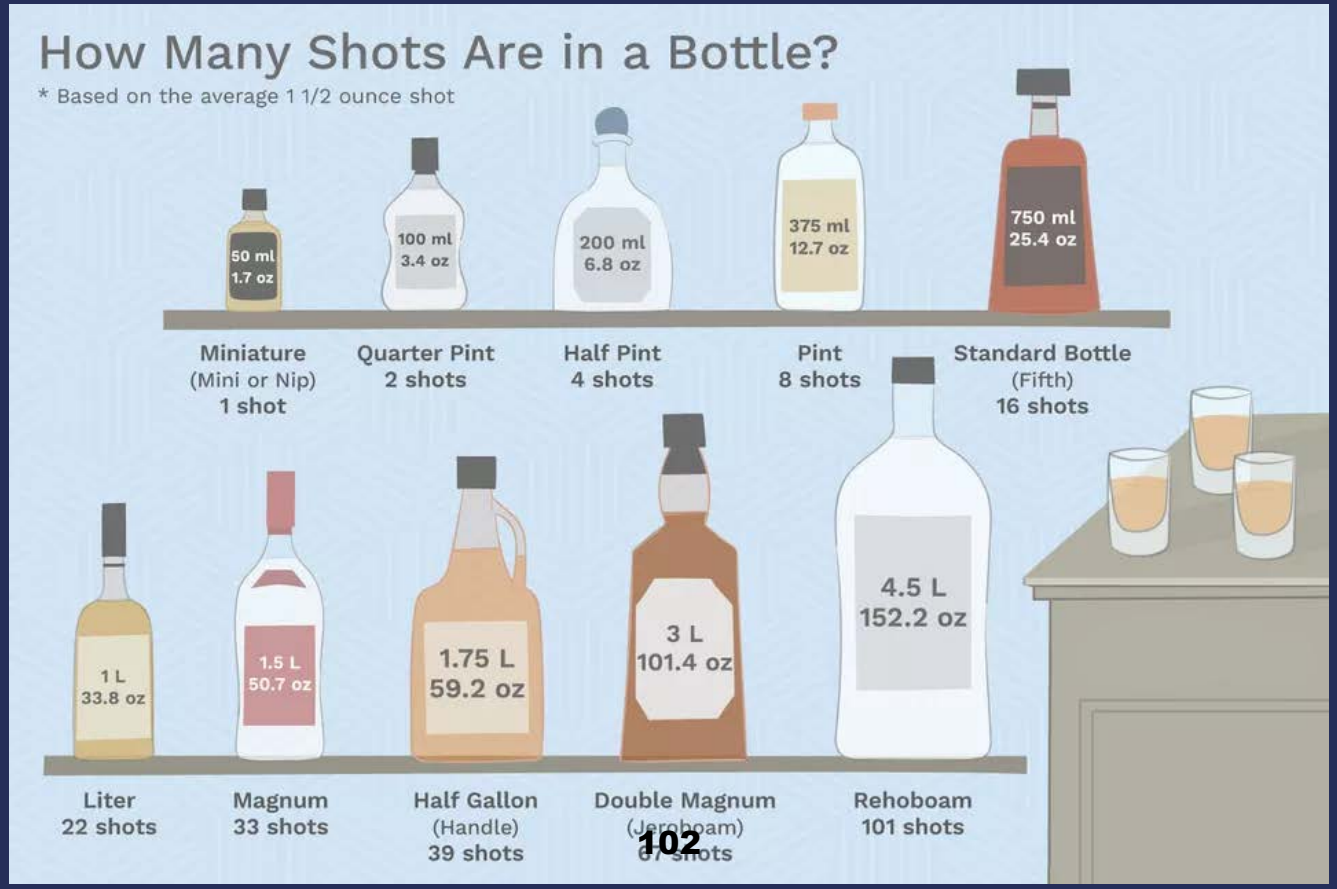
Use Permit Request

Mr. Saleh requests a modification to his use permit to allow the sale of distilled spirits in order to allow the sale of 200 milliliter containers of distilled spirits.

Origin of Limitations

- Contra Costa County approved an Ordinance limiting and regulating alcoholic beverage sales establishments in 2002.
- Ordinance includes distance restrictions for such establishments, establishing deemed approved status for existing establishments, and conditions limiting the availability of certain products to discourage nuisance activities.
- The ordinance only regulates these establishments in the unincorporated county areas.
- Studies have shown that the availability of single serve alcohol beverage containers are more likely to lead to abuse and negative health effects.

Bottle Size Chart



Images of Bottles



Images of Bottles



Site Photos



Site Photos

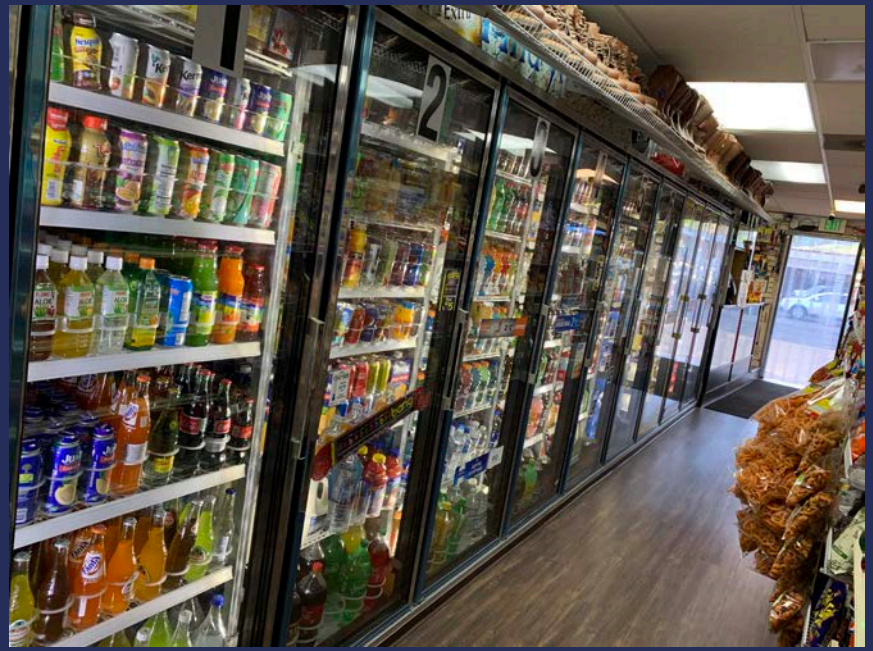

Dos Cuñados Market
GROCERIES • BEER • WINE • LIQUOR • LOTTERY
Envíos de Dinero
PARKING
DOS CUNADOS
ICE

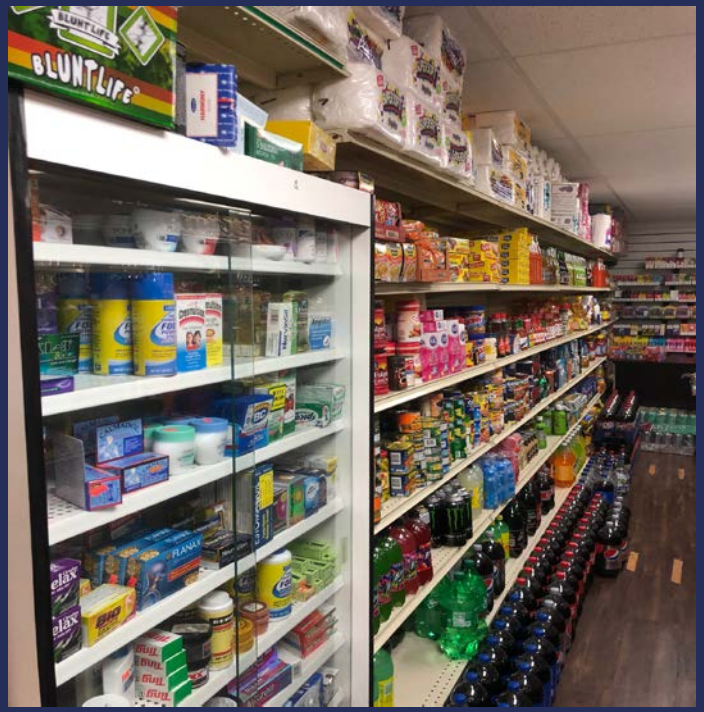
Site Photos





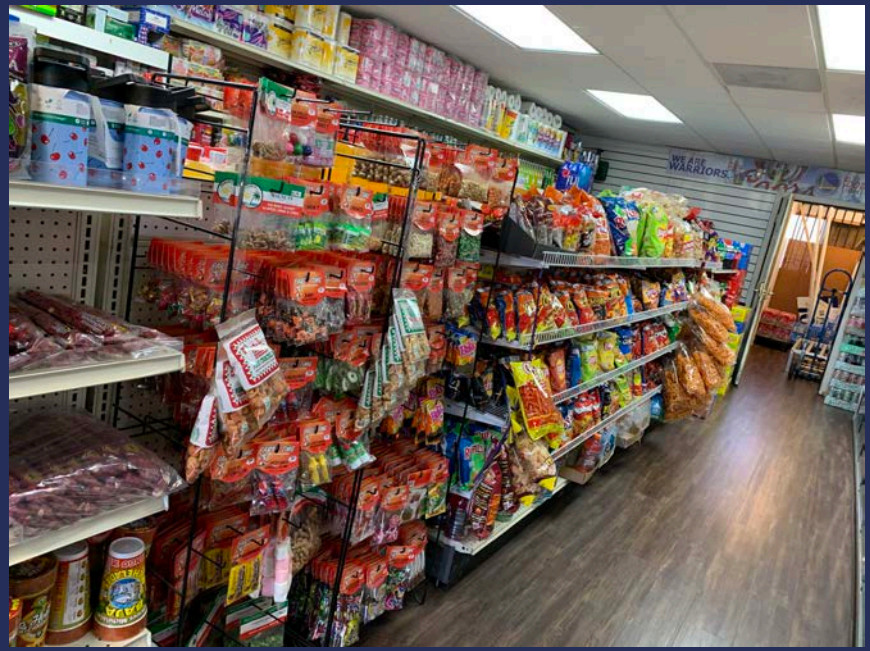
Site Photos





Site Photos





Recomendation

Staff recommends that the Planning Commission adopt **Resolution No. 10145**, approving use permit modification application **No. AP-20-1500, subject to conditions.**

Options

1. Planning Commission may approve the use permit modification application, subject to all other previous conditions.
2. Planning Commission may deny the use permit modification, with the applicant continuing to operate under the previous conditions of approval.
3. Planning Commission may approve the use permit modification, with new additional conditions.

CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 26, 2020

ITEM: Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509.

ORIGINATED BY: Louis Parsons, Discovery Builders, Inc., 4061 Port Chicago Highway, Suite H, Concord, CA 94520.

SUBJECT: This is a request for a three-year extension of approval for design review of plans to construct a 318-unit apartment complex, consisting of twelve three-story buildings and one clubhouse, on a 13.3 acre site located immediately west of Tomales Bay Drive and known as 'Village M' of the San Marco PD (Planned Development, Ordinance No.12-1362) District. Assessor's Parcel No. 091-050-064.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 10147, approving Planning Application No. 20-1509, extending design review approval for three years for the Esperanza Apartments at San Marco project, subject to conditions.

BACKGROUND: On April 25, 2017, the Planning Commission adopted Resolution No. 10060 approving the site design, landscape plan, architectural elevations and building materials for the proposed Esperanza at San Marco apartments, a 318-unit apartment complex, consisting of twelve three-story buildings and one clubhouse. At that meeting, the Commission considered public comments and then approved the project by a vote of 6-0. According to Condition No. 63 of Planning Commission Resolution No. 10060, the applicant was given three years from the date of the public hearing to obtain a building or grading permit for the project, or to submit a written request to the Planning Division for an extension of approval.

On March 24, 2020, the applicant submitted a request for a three-year extension to extend the design review approval. This is the first request for an extension of design review approval for the Esperanza Apartments at San Marco. The extension request was submitted prior to expiration of the resolution, thereby allowing the Planning Commission to consider the request.

PROJECT DESCRIPTION: The applicant has requested approval of the three-year extension to extend the design review approval through May 26, 2023, in order to allow additional time to accommodate building permit review and issuance of the necessary building permits. The applicant has stated that they plan to build San Marco Villas Apartments, Phase 3, before this project, so the time extension would be necessary in order to accommodate the change in construction scheduling.

Please refer to Planning Commission Resolution No. 10060 and the original staff report entitled, "No. 4 – Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)" dated April 25, 2017, for a detailed description of the project, conditions of approval and

the findings made by the Planning Commission to approve the original project as presented (Attachment 2).

No changes to the project are proposed at this time, and there have been no changes in regulations applicable to this development since its approval in 2017.

GENERAL PLAN/CODE COMPLIANCE:

General Plan/Zoning: The General Plan land use designation and zoning classification for the site have not changed since the initial project approval on April 2017. Please refer to Attachment 2 for more details on the project's compliance with the General Plan and Zoning Ordinance.

Extension of Approval: When a written request for extension of approval is submitted within the effective period of approval, Pittsburg Municipal Code (PMC) section 18.36.240 authorizes the original reviewing body to extend the period of the approval for Design Review.

Environmental: The original project was within the scope of the previously approved Supplemental Environmental Impact Report ("SEIR," State Clearinghouse #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project was in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15162, there are no substantial changes that have occurred with respect to the circumstances under which the SEIR was certified, and no new significant environmental effects, nor a substantial increase in the severity of previously identified significant effects which could require revisions to the SEIR.

Public Notice: Although not required, on or prior to May 15, 2020, a "Notice of Public Meeting" for the May 26, 2020, public meeting on this item was posted at City Hall and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies whose services might be affected by this project, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the surrounding Nextdoor neighborhoods including: 1) Toscana; 2) Vista Del Mar; 3) Oak Hills South; 4) San Marco; and 5) San Marco Villas.

ANALYSIS:

Staff believes that there is good cause for a three-year extension of approval at this time as the extension would promote continued orderly development of the San Marco Development Plan Area, and more specifically, development of the currently vacant site which has been envisioned for this type of development since the early 1990's.

The proposed project is consistent with the development that was envisioned for Village M under the San Marco Development Agreement, Development Plan, and PD zoning

district, and is therefore considered consistent with the applicable 1988 General Plan. The project does not exceed the maximum allowable density for the PD District (18 units per acre) and is consistent with the conditions of approval set forth in the ordinance establishing the original PD District. With the inclusion of all original conditions of approval from 2017, the project would also be consistent with the current adopted Development Review Design Guidelines.

Further, staff believes that the proposed project's combination of high-quality architecture, resident amenities, and location being adjacent to the recently constructed Ray Giacomelli Community Park and less than a mile away from the Pittsburg/Bay Point BART Station, make this a desirable location for prospective residents, and help meet the need for multifamily housing in the area.

ACTION REQUIRED:

Move to adopt Resolution 10147, approving a three-year extension of the term of approval of Design Review Application No. 20-1509.

ATTACHMENTS:

1. Proposed Resolution No. 10147
2. Approved Project Plans, date stamped March 10, 2017
3. Adopted Resolution No. 10060 and Staff Report, dated April 25, 2017
4. Letter of Request for Extension
5. Public Meeting Notice and Vicinity Map
6. Staff Presentation

Prepared by: Trishia Caguiat, Associate Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Extending the Design Review Term of Approval for the Esperanza Apartments at San Marco located immediately west Tomales Bay Drive and known as “Village M” of the San Marco PD (Planned Development, Ordinance No. 12-1362) District, AP-20-1509 (DR).	)))))))	Resolution No. 10147

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

A. On March 25, 2020, Louis Parsons of Discovery Builders, Inc. filed Planning Application No. 20-1509, requesting a three-year extension of approval for design review of plans to construct a 318-unit apartment complex, consisting of twelve three-story building and one clubhouse, on a 13.3 acre site located immediately west of Tomales Bay Drive and known as ‘Village M’ of the San Marco PD (Planned Development, Ordinance No. 20-1509) District. Assessor’s Parcel No. 091-050-064.

B. The proposed project is governed by the applicable goals and policies of the Pittsburg General Plan and the Pittsburg Municipal Code (PMC).

C. On January 19, 1993, the City Council adopted Resolution No. 93-7888, certifying a subsequent environmental impact report (SEIR) for a 2,938-unit project currently known as the San Marco Development. On the same evening that the City Council certified the SEIR, it adopted Ordinance No. 93-1057 zoning the San Marco Development property to a residential PD (Planned Development) District, with a PD Plan consisting of 1,412 single-family residential units and 1,526 multifamily units.

D. On June 10, 2013, Louis Parsons of Discovery Builders, Inc., filed Design Review Application No. 13-932, requesting design review approval for the Esperanza at San Marco Project, as described above.

E. On April 25, 2017, the Planning Commission adopted Resolution No. 10060 approving the site design, landscape plan, architectural elevations and building materials for the proposed Esperanza at San Marco apartments (Design Review Application No. 13-932), a 318-unit apartment complex, consisting of twelve three story buildings and one clubhouse. At that meeting, the Commission considered public comments and then approved the project by a vote of 6-0. According to Condition No. 63 of Planning Commission Resolution No. 10060,

the applicant was given three years from the date of the public hearing to obtain a building or grading permit for the project, or to submit a written request to the Planning Division for an extension of approval.

F. On March 24, 2020, the applicant submitted a request for a three-year extension to extend the design review approval.

G. Upon written request submitted within the effective period of approval, PMC section 18.36.240 allows the original reviewing body to extend the period to exercise an approved design review according to its terms.

H. Since the adoption of Planning Commission Resolution No. 10060, there have been no General Plan or Zoning Ordinance amendments related to the affected property.

I. On May 26, 2020, the Planning Commission considered the request to approve Planning Application No. 20-1509, extending design review approval for three-years for the Esperanza Apartments at San Marco project, subject to conditions.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, "Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509," dated May 26, 2020, and based on all the information contained in the Planning Division files on this project, incorporated herein 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 26, 2020, the Planning Commission finds that:

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

2. Since the adoption of Planning Commission Resolution No.10060, there have been no General Plan or Zoning Ordinance amendments related to the affected property.

3. The SEIR for the project was prepared in compliance with Public Resources Code section 21000 et seq., and there have been no substantial changes to the project or with respect to the circumstances under which the project is being undertaken which require revisions to the SEIR.

4. The design of the project has not changed since the approval of the site plan and architectural plans and elevations for this project.

5. The request for extension of the project review approval was filed within the effective period of approval, in compliance with the requirements of PMC section 18.36.240.

6. There is good cause for a three-year extension of the approval at this

time, as it will afford the applicant additional time to secure required building and grading permits, as well as promote continued orderly development of the San Marco Development Plan Area, and more specifically, development of the currently vacant site which has been envisioned for this type of development since the early 1990's..

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby extends approval of Design Review Application No. 13-932, subject to all of the conditions of Resolution No. 10060, with the exception of Condition No. 63, which is replaced by the following:

63. This approval will expire on May 26, 2023, unless, prior to that date, the use has been established and a building permit or grading permit has been issued for the site improvements authorized herein. The approval shall be valid for no more than twelve months from the date of building or grading permit issuance, unless work is commenced and diligently pursued prior to the expiration of the building permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 26th day of May 2020, 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. 10147 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2020.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

RECEIVED
MARCH 10, 2017
PLANNING DIVISION

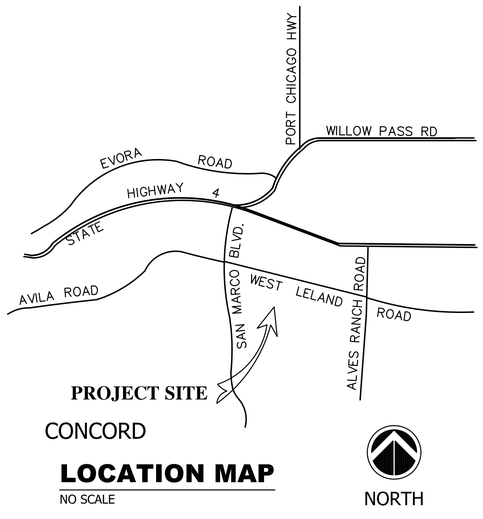
ESPERANZA AT SAN MARCO

PITTSBURG, CA

BY

DISCOVERY BUILDERS INC.





LOCATION MAP
NO SCALE

PROJECT TEAM

OWNER: **DISCOVERY BUILDERS INC.**
4061 Port Chicago Highway, Suite H
Concord, CA 94520
T 925.682.6419
CONTACT: Kevin English
EMAIL: kenglish@discoverybuilders.com

ARCHITECT: **LCA ARCHITECTS, INC.**
590 Ygnacio Valley Road, Suite 310
Walnut Creek, CA 94596
T 925.944.1626
CONTACT: PETER STACKPOLE
EMAIL: pstackpole@lca-archtiects.com

CIVIL ENGINEER: **ISAKSON & ASSOCIATES INC.**
2255 Ygnacio Valley Road
Walnut Creek, CA 94598
T 925.937.9333
CONTACT: Dave Isakson
EMAIL: admin@isaksonandassociates.com

LANDSCAPE: **THOMAS BAAK & ASSOCIATES, LLP**
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
T 925.933.2583
CONTACT: Rick Stover
EMAIL: rstover@tbaak.com

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Esperanza at San Marco
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COVER SHEET

SCALE: NO SCALE
DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

A0

SHEET OF



OWNER SAN MARCO PROPERTIES, LLC

PROJECT DATA

GROSS SITE AREA –	22.3 ACRES
NET SITE AREA –	13.3 ACRES
TOTAL UNITS –	318 UNITS
GROSS DENSITY –	14.3 DU/AC
NET DENSITY –	23.9 DU/AC

	NUMBER OF BUILDINGS		NUMBER OF UNITS/BLDG	
TYPE A –	7	x	24	= 168 UNITS
TYPE B –	5	x	30	= 150 UNITS
TOTAL –				318 UNITS

1 BR UNITS –	102 (32.0%)
2 BR UNITS –	216 (68.0%)

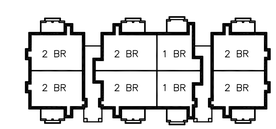
PARKING COUNT:

CARPORT PARKING (39 CARPORTS) –	312 SPACES
GARAGE PARKING (8 GARAGES) –	48 SPACES
GARAGE PARKING (1 GARAGE) –	4 SPACES
UNCOVERED PARKING –	271 SPACES
TOTAL PARKING AVAILABLE –	636 SPACES
PARKING SPACES PER UNIT –	2.00 SPACES/UNIT

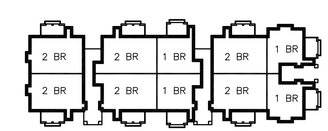
ACCESSIBLE PARKING SPACES

1. COVERED UNITS
   (GROUND FLOOR) = 106 UNITS
2. REQUIRED PARKING SPACES
   106 X 2 = 212 SPACES
   212 X .02 = 4.2 OR 5 SPACES
3. GUEST ACCESSIBLE PARKING SPACES
   TOTAL GUEST SPACES = UP TO 40 SPACES
   40 X .05 = 2 SPACES
4. TOTAL REQUIRED ACCESSIBLE SPACES = 7 SPACES
5. TOTAL PROVIDED TYPE & NUMBER OF ACCESSIBLE SPACES
   1 – GARAGE SPACE
   3 – CARPORT SPACE
   3 – OPEN SPACES
   7 – TOTAL SPACES

BUILDING TYPES



TYPE A - SAN MARCO BLDG #3 - 24 UNITS



TYPE B - ESPERANZA BLDG #1 - 30 UNITS

CONCEPTUAL SITE PLAN

50' 0' 50' 100'

SCALE: 1" = 50'

NORTH

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CONCEPTUAL SITE PLAN, PROJECT DATA

SCALE: AS SHOWN

DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

A1

SHEET OF



CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL CLUBHOUSE ELEVATIONS

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

8' 0' 8' 16'

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CLUBHOUSE ELEVATIONS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012
A2
SHEET OF



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL BUILDING 'A' ELEVATIONS

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

8' 0' 8' 16'

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BUILDING A
ELEVATIONS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012
A3.1
SHEET OF



CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION

CONCEPTUAL BUILDING 'A' ELEVATIONS

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

8' 0' 8' 16'

LCA ARCHITECTS

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BUILDING A
ELEVATIONS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012

A3.2

SHEET OF



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL BUILDING 'B' ELEVATIONS

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

8' 0' 8' 16'

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BUILDING B
ELEVATIONS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012
A3.3
SHEET OF



CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION

CONCEPTUAL BUILDING 'B' ELEVATIONS

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

8' 0' 8' 16'

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BUILDING B
ELEVATIONS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

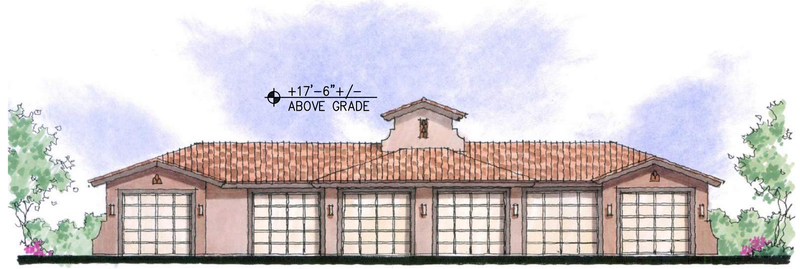
PROJECT NO. 13012

A3.4

SHEET OF



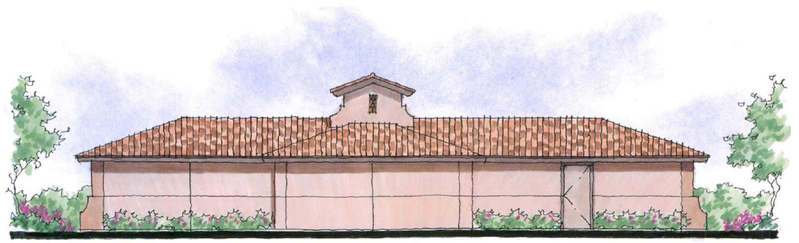
CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL GARAGE BLDG. ELEVATIONS

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

8' 0' 8' 16'

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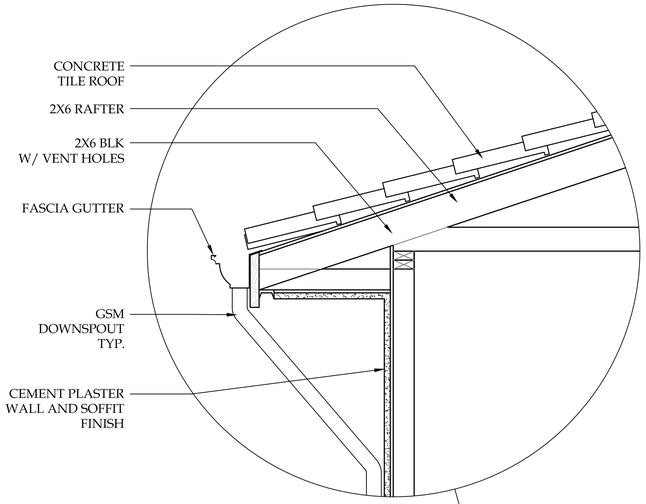
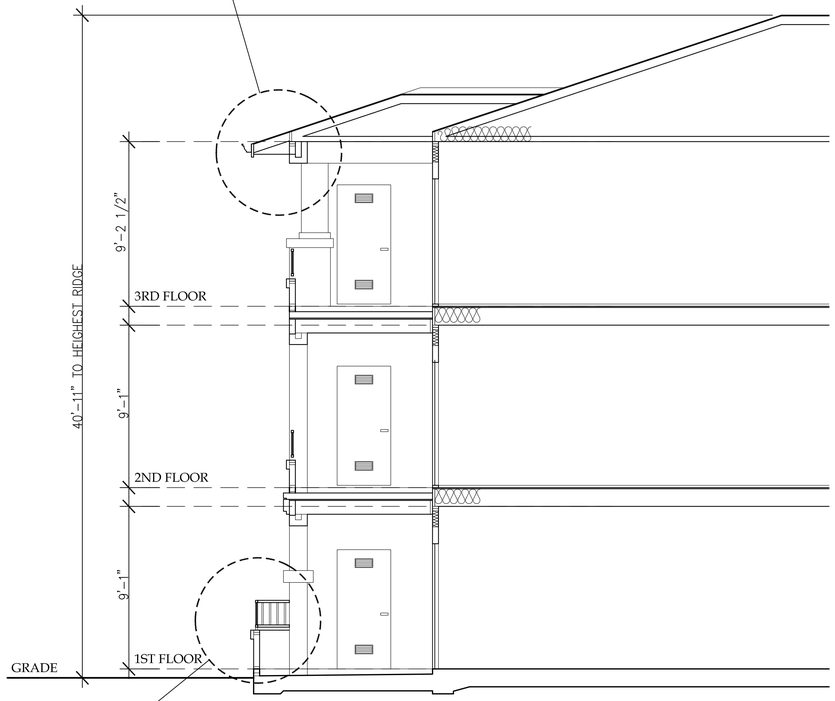
GARAGE BLDG. ELEVATIONS

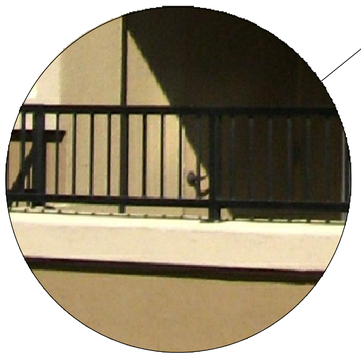
SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012
A3.5
SHEET OF









CONCEPTUAL ELEVATION DESIGN ELEMENTS & SECTION

SCALE: 1/4" = 1'-0"

4' 0' 4' 8'

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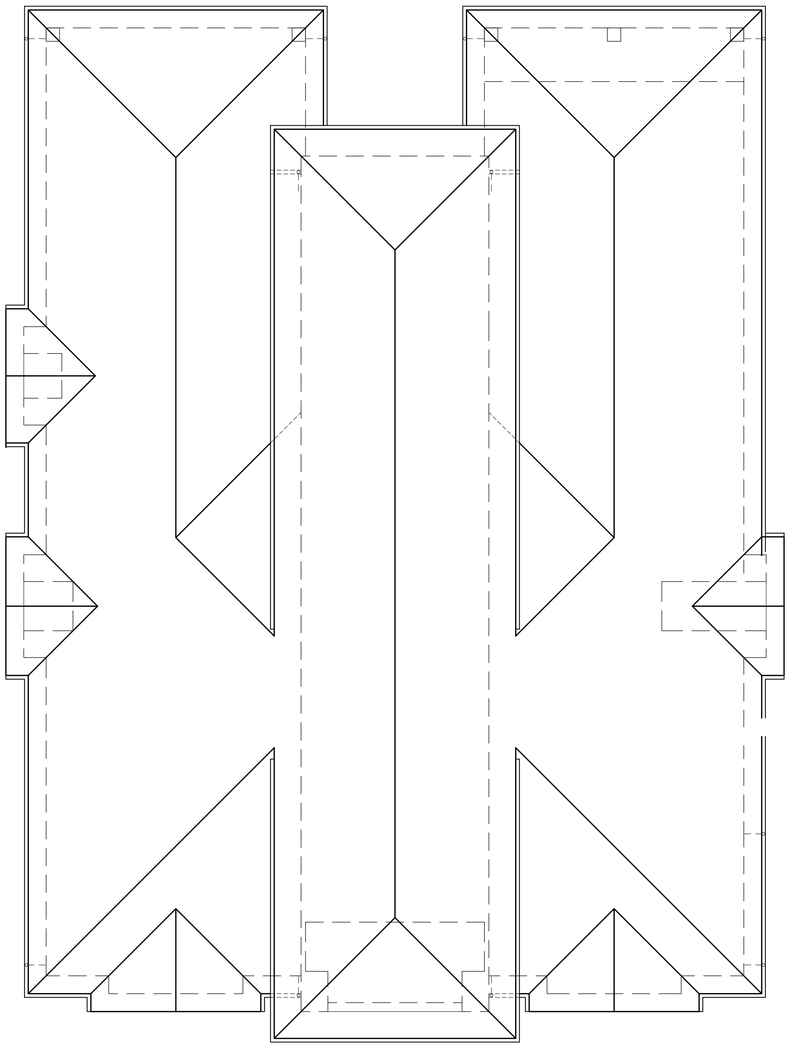
ELEVATION DESIGN ELEMENTS & SECTION

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

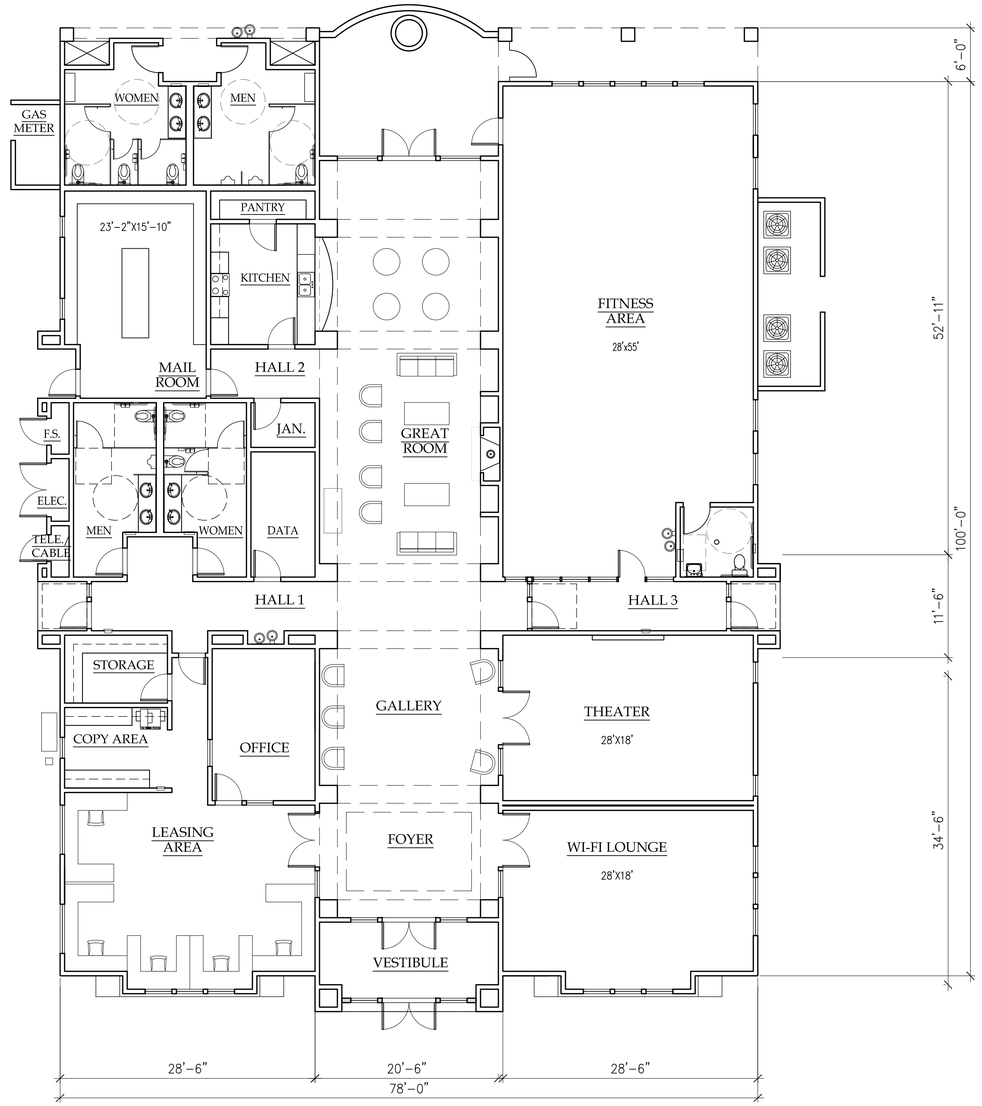
PROJECT NO. 13012

A4

SHEET OF



ROOF PLAN



FLOOR PLAN 7,873 S.F.

CLUBHOUSE

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

0' 8' 16' 32'

LCA ARCHITECTS
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ASHLEY CHARLES | LEE DONALL | CHRIS CAMPOS
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CLUBHOUSE
PLAN &
ROOF PLAN

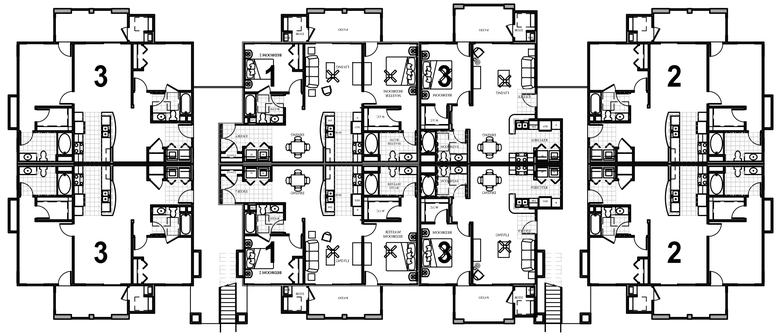
SCALE: AS SHOWN
DATE: 2 / 27 / 2017

REVISIONS:

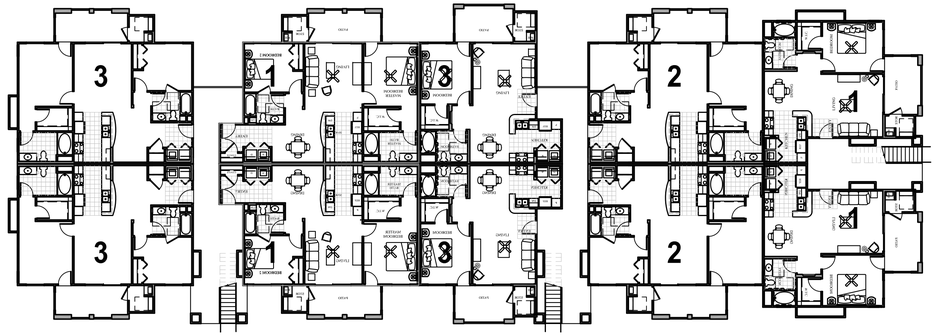
PROJECT NO. 13012

A5

SHEET OF



BUILDING A

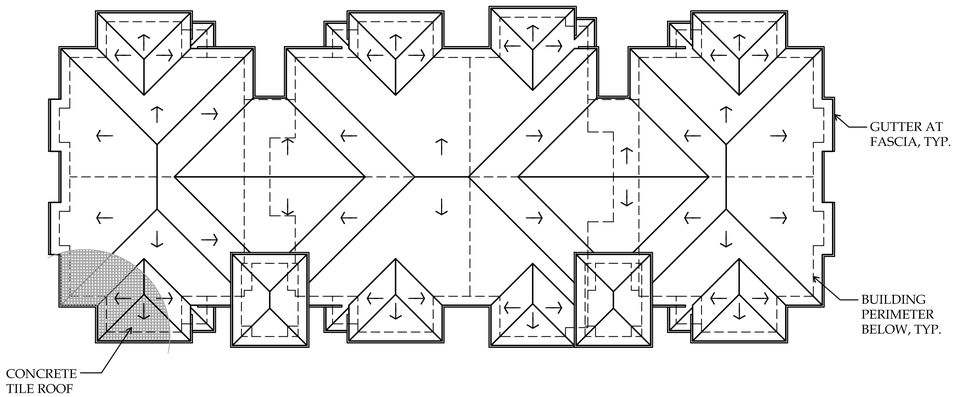


BUILDING B

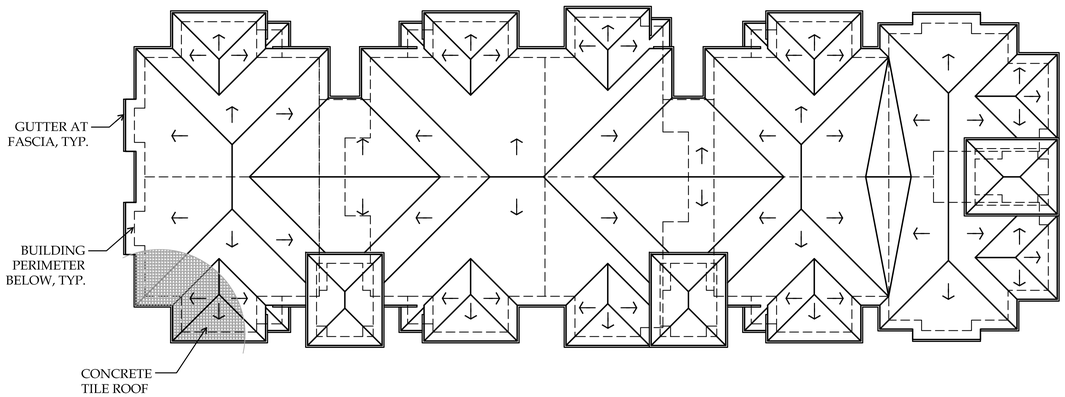
CONCEPTUAL MASSING PLANS

SCALE: 1/16" = 1'-0"

16' 0' 16' 32'



BUILDING A



BUILDING B

CONCEPTUAL ROOF PLANS

SCALE: 1/16" = 1'-0"

16' 0' 16' 32'

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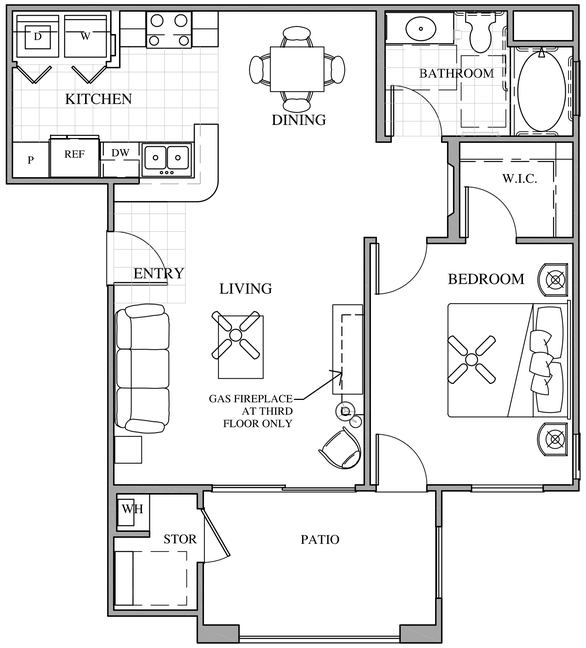
MASSING PLANS AND ROOF PLANS BUILDINGS A & B

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012

A6

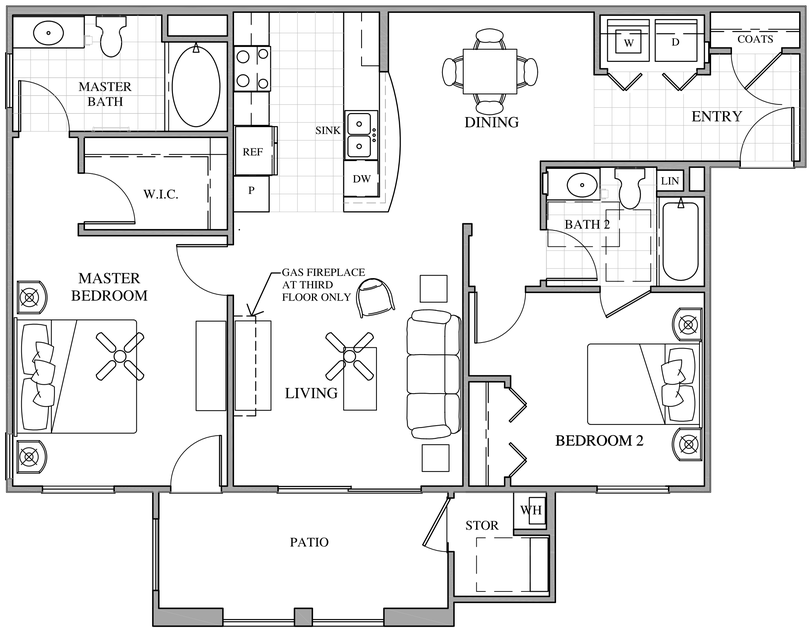
SHEET OF



UNIT 1

1 BR / 1 BATH

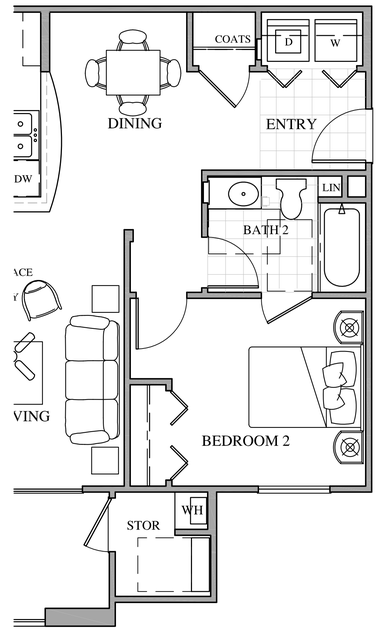
UNIT AREA = 772 SF
PRIVATE STORAGE = 37 SF
DECK (PRIVATE OS) = 98 SF



UNIT 2

2 BR / 2 BATH

UNIT AREA = 1,117 SF
PRIVATE STORAGE = 37 SF
DECK (PRIVATE OS) = 105 SF



UNIT 3

2 BR / 2 BATH
SIMILAR TO UNIT 2 WITH
ALTERNATIVE ENTRY LAYOUT

UNIT AREA = 1,067 SF
PRIVATE STORAGE = 37 SF
DECK (PRIVATE OS) = 105 SF

CONCEPTUAL UNIT PLANS

SCALE: 1/4" = 1'-0"

4' 0' 4' 8'

LCA ARCHITECTS
CARL E. CAMPOS | DAVID BOGSTAD | PETER STACKPOLE
245 YGNACIO VALLEY ROAD, WALNUT CREEK, CALIFORNIA 94596
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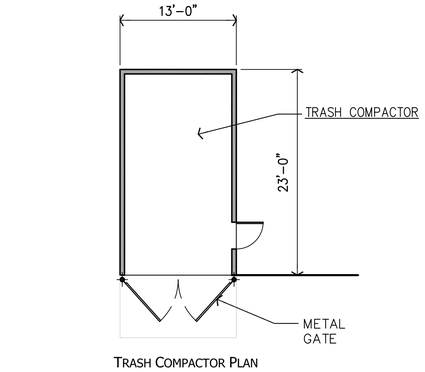
UNIT
FLOOR PLANS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

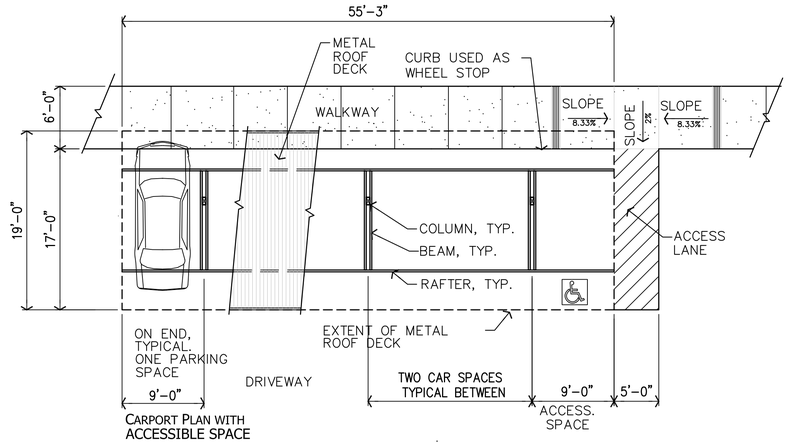
PROJECT NO. 13012

A7

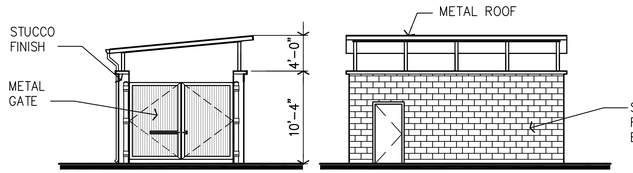
SHEET OF



TRASH COMPACTOR PLAN

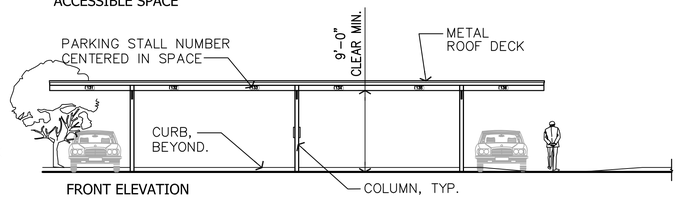


CARPORT PLAN WITH ACCESSIBLE SPACE

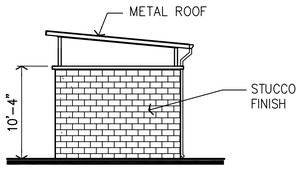


FRONT

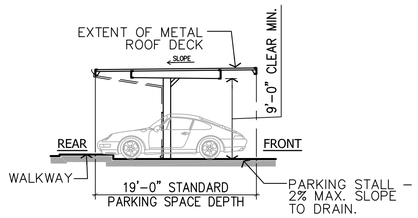
SIDE



FRONT ELEVATION



REAR



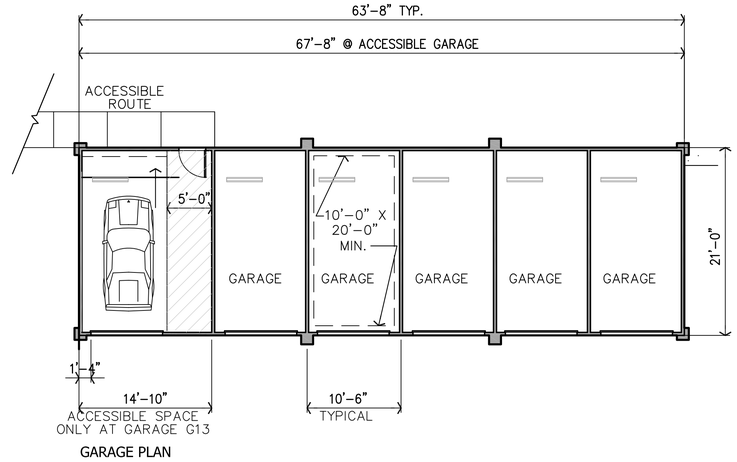
SIDE ELEVATION

TRASH COMPACTOR PLAN & ELEVATION

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

CARPORT PLAN & ELEVATION

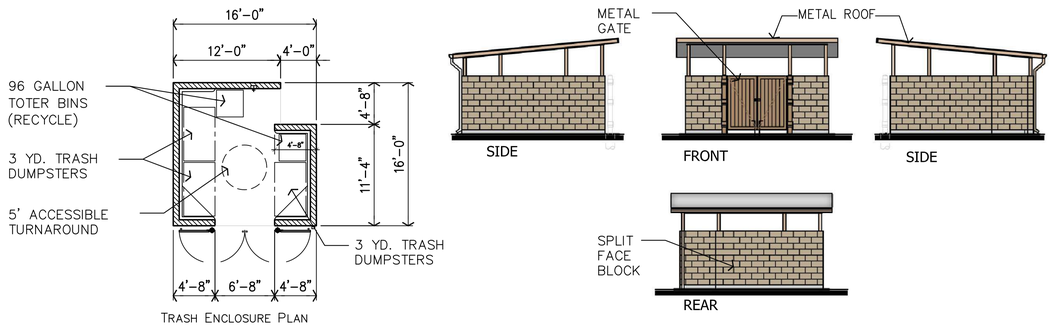
SCALE: 1/8"=1'-0"



GARAGE PLAN

GARAGE PLAN

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



TRASH ENCLOSURE PLAN

TRASH ENCLOSURE PLAN & ELEVATION

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

CONCEPTUAL ACCESSORY BUILDINGS

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

8' 0' 8' 16'

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ACCESSORY BUILDINGS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012

A8

SHEET OF



CONCEPTUAL FRONT ELEVATION



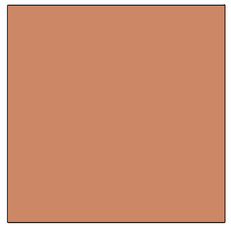
CONCEPTUAL REAR ELEVATION

COLOR CHART

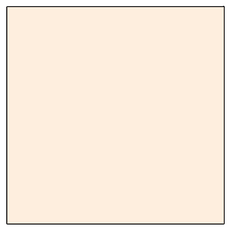
(These colors are approximate. Accuracy is limited by scanning & printing technology. Please see physical Color & Materials Board for actual materials.)



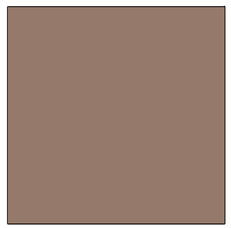
1 ROOF
EAGLE ROOF
CONCRETE TILE
CAPISTRANO
ADOBE BLEND 3723



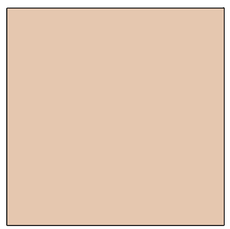
4 BODY COLOR 3
KELLY MOORE
212
SALTILLO



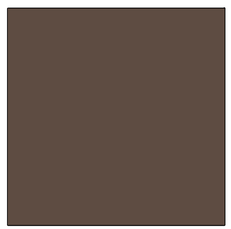
2 BODY COLOR 1
KELLY MOORE
KM4527-1
TOASTED OATMEAL



5 FASCIA / ACCENT / TRIM
KELLY MOORE
KM4510-3
BEAR HUG



3 BODY COLOR 2
KELLY MOORE
KM4530-2
FRIENDLY HOMESTEAD



6 BALCONY
KELLY MOORE
417
OXFORD BROWN

COLOR & MATERIALS

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

8' 0' 8' 16'

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CARL E. CAMPOS | DAVID BOGSTAD | PETER STACKPOLE
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COLOR & MATERIALS

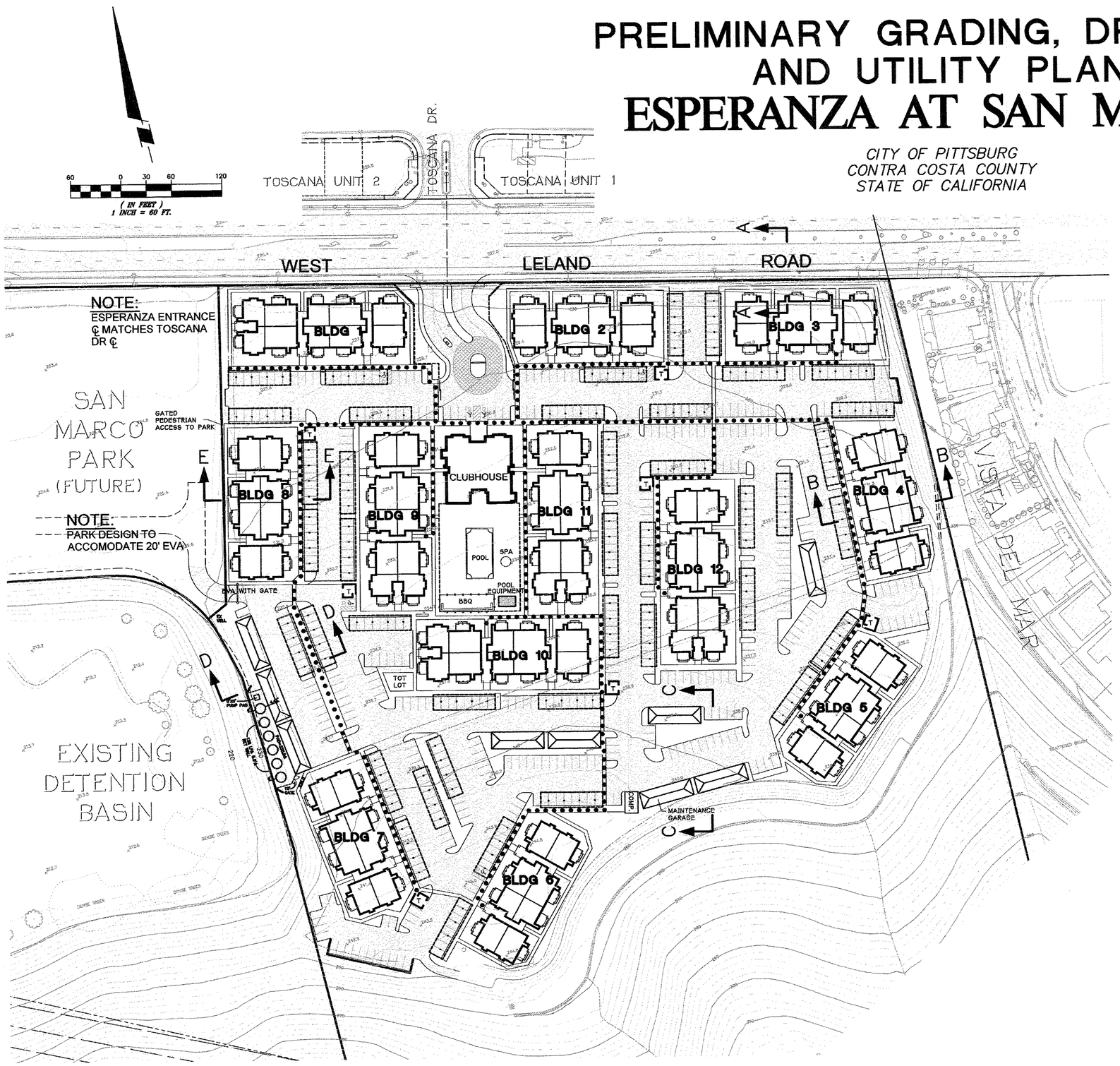
SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012
A9
SHEET OF

PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

RECEIVED
MARCH 10, 2017
PLANNING DIVISION



LEGEND:

- PROJECT BOUNDARY
- RIGHT-OF-WAY LINES
- PROPERTY LINES
- DAYLIGHT LINES
- 22 — BUILDING NUMBER
- P=250.0 — PAD GRADE
- FF=250.0 — BUILDING FINISH FLOOR
- FIRE HYDRANT
- 8" SS — SEWER LINE, & DIRECTION
- SEWER MANHOLE (PROPOSED)
- ⊕CO — SEWER CLEANOUT
- 8" SD — STORM DRAIN LINE
- STORM DRAIN CATCH BASIN
- STORM AREA DRAIN
- STORM BASIN OUTFALL
- 10" W — WATER LINE & SIZE
- 250.0 — DENOTES FINISH GRADE
- DENOTES HANDICAP PATH OF TRAVEL
- STAIRWAY
- RETAINING WALL
- 42" +/- DECORATIVE METAL VIEW FENCE
- + 93.56 — EX. SPOT ELEVATION
- TOE OF SLOPE — PROPOSED 2:1 SLOPE (UNLESS OTHERWISE NOTED)
- 2.3% 16.0 + H.P. — STREET GRADE & DIRECTION
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK/WALKWAY
- CARPORT
- GARAGE

OWNER/DEVELOPER: SAN MARCO PROPERTIES, LLC.
4061 PORT CHICAGO HWY. STE. H.
CONCORD, CA 94520
PHONE: (925) 682-6419

CIVIL ENGINEER: ISAKSON & ASSOCIATES, INC.
2255 YGNACIO VLY.RD., SUITE C
WALNUT CREEK, CA 94598-3335
PHONE: (925) 937-9333

SOILS ENGINEER: ENGEO INC.
690 WALNUT AVENUE, SUITE 220
VALLEJO, CA 94592
PHONE: (707) 562-0030
(PROJECT No. 2705.2.702.01)

GENERAL NOTES:

1. ALL DOWNSPOUTS WILL BE CONNECTED TO AREA DRAINS AND STORM DRAIN LINES
2. PRELIMINARY INTERIOR STORM DRAIN SYSTEM SUBJECT TO CHANGE DEPENDING ON FIELD CONDITIONS AND LANDSCAPING
3. SEE LANDSCAPE PLANS FOR FENCE LOCATIONS
4. ALL PARKING BAYS WHICH COLLECT AND CONVEY WATER SHALL HAVE THRU CURB SLOTS TO ALLOW FLOW BETWEEN ISLANDS
5. APN NO. 097-550-018

SHEET INDEX

C1	TITLE SHEET, GENERAL NOTES & PATH OF TRAVEL
C2	SECTIONS
C3	GRADING AND DRAINAGE PLAN (1)
C4	GRADING AND DRAINAGE PLAN (2)
C5	UTILITY PLAN

APPR. | DATE

REGISTERED PROFESSIONAL ENGINEER — DAVID O. ISAKSON — NO. 21764 — CIVIL — STATE OF CALIFORNIA

ESPERANZA AT SAN MARCO

TITLE SHEET
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

Isakson & Assoc. Inc.
civil engineering & land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone:(925) 937-9333

DATE:	DESIGNED BY:	DRAWN BY:	CHECKED BY:	JOB NO.	SHEET
02-09-17	DOI	JDVL	DOI	201303	C1 OF 5

ESPERANZA AT SAN MARCO - PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN 02-09-17

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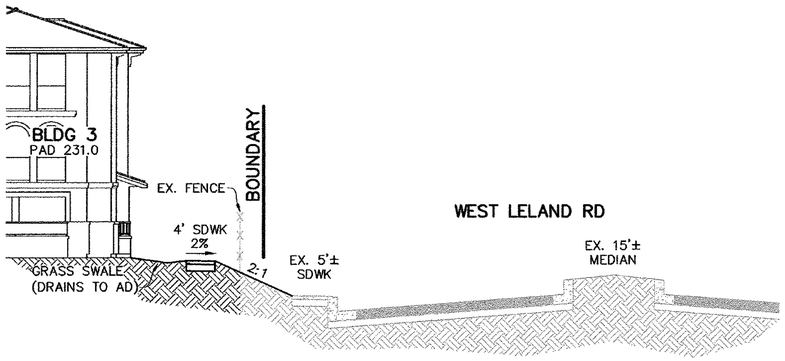
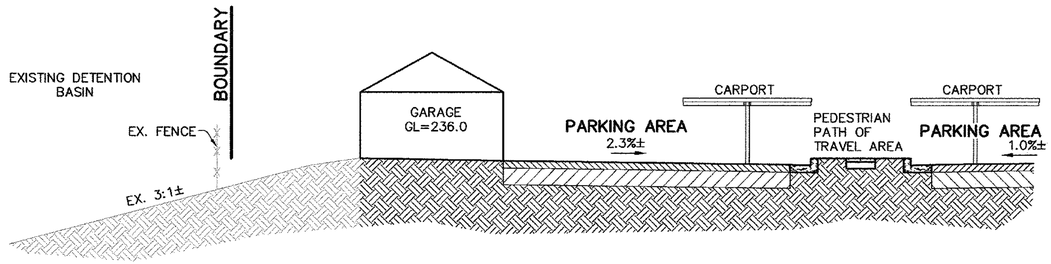
PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
ESPERANZA AT SAN MARCO

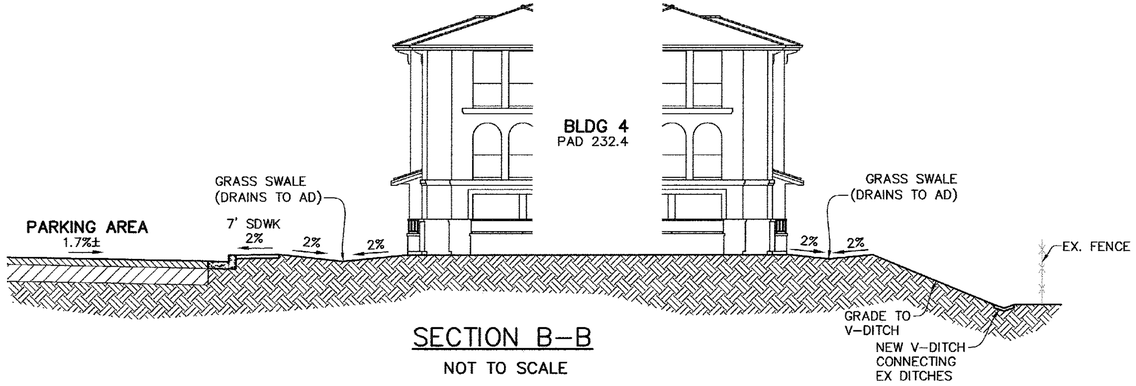
CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA



SECTION A–A
NOT TO SCALE



SECTION D–D
NOT TO SCALE



SECTION B–B
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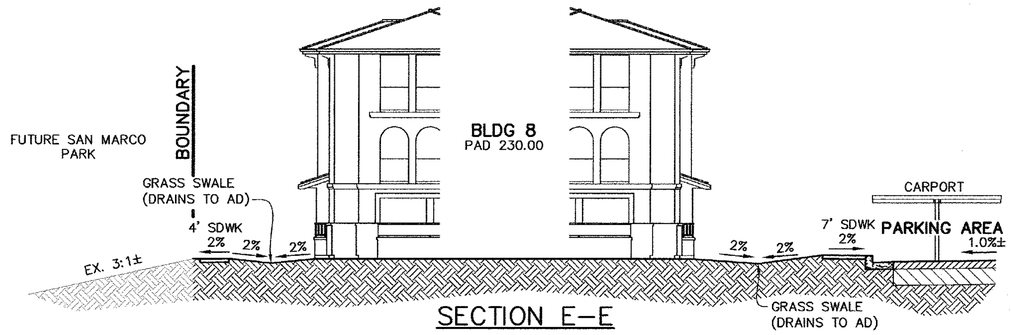

SECTION E–E
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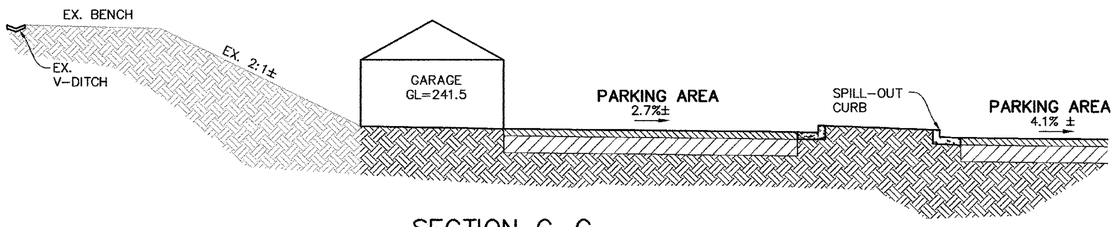

SECTION C–C
NOT TO SCALE

APPR.
DATE

REGISTERED PROFESSIONAL ENGINEER
DAVID O. ISAKSON
NO. 21764
STATE OF CALIFORNIA

ESPERANZA AT SAN MARCO

SECTIONS
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

Isakson & Assoc. Inc.
civil engineering land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone:(925) 937-9333

DATE: 02-09-17	DESIGNED BY: DOI	DRAWN BY: JDVL	CHECKED BY: DOI	JOB NO. 201303	SHEET C2 OF 5

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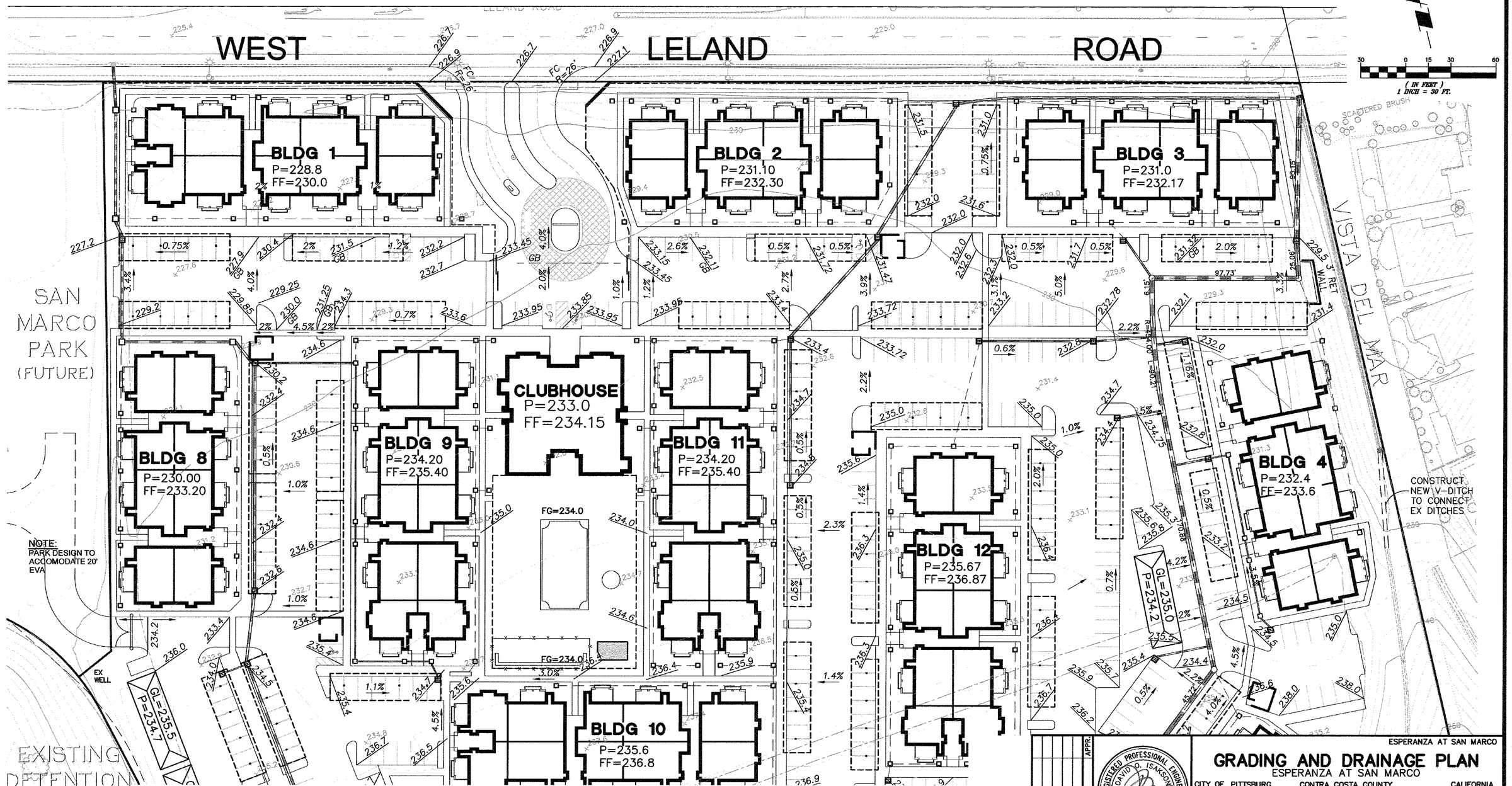
PRELIMINARY GRADING & DRAINAGE PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA



SEE SHEET 4

ESPERANZA AT SAN MARCO

GRADING AND DRAINAGE PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER DAVID O. ISAKSON NO. 21764 CIVIL STATE OF CALIFORNIA

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civil engineering land surveying
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DATE: 02-09-17	DESIGNED BY: DOI	DRAWN BY: JDVL	CHECKED BY: DOI	JOB NO. 201303	SHEET C3 OF 5

APPR. DATE

PRELIMINARY GRADING & DRAINAGE PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

SEE SHEET 3

SAN MARCO PARK (FUTURE)

EXISTING DETENTION BASIN

VISTA DEL MAR

BLDG 10
P=235.6
FF=236.8

BLDG 7
P=239.2
FF=240.4

BLDG 6
P=243.0
FF=244.2

BLDG 5
P=238.40
FF=239.60

GL=235.5
P=234.7

GL=236.0
P=235.2

GL=237.0
P=236.2

GL=239.0
P=238.2

GL=239.4
P=238.6

GL=238.2
P=239.5

GL=241.5
P=241.3

GL=242.0
P=241.8

FG=234.0

EX WELL

6"X6" PUMP PAD

138 LF± 5.5'± RET WALL

10' GATE

3' RET WALL

CONNECT TO EX. CB AND EXTEND 36" RCP

DENSE TREES

R=454.00' L=287.55'

R=454.00' L=79.74'

30 0 15 30 60
(IN FEET)
1 INCH = 30 FT.

ESPERANZA AT SAN MARCO

GRADING AND DRAINAGE PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
DAVID O. ISAKSON
No. 21764
CIVIL
STATE OF CALIFORNIA

Isakson & Assoc. Inc.
civil engineering land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone: (925) 937-9333

APPR.	DATE	DESIGNED BY:	DRAWN BY:	CHECKED BY:	JOB NO.	SHEET
	02-09-17	DOI	JDVL	DOI	201303	C4 OF 5

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WEST LELAND ROAD

BLDG 1
BLDG 2
BLDG 3
BLDG 4
BLDG 5
BLDG 6
BLDG 7
BLDG 8
BLDG 9
BLDG 10
BLDG 11
BLDG 12
CLUBHOUSE
POOL
SPA
POOL EQUIPMENT
BBQ
TOT LOT
MAINTENANCE GARAGE
COMP.
GATED PEDESTRIAN ACCESS TO PARK
EVA WITH GATE
FUTURE SAN MARCO PARK
EXISTING DETENTION BASIN
DENSE TREES
SCATTERED BRUSH
VISTA DEL MAR
EX 10" W
EX 10" W
10" W
10" SS
8" SS
8" W
FH
T
409.01'
257.04'
99.77'
143.35'
73.28'
98.86'
118.69'
285.58'
SSMH-1 Rim 227.1 10"FL 218.42 IN 10"FL 218.17 OUT
SSMH-2 Rim 227.1 10"FL 218.42 IN 10"FL 218.17 OUT
SSMH-3 Rim 229.0 8"FL 219.53 IN 10"FL 219.28 OUT
SSMH-4 Rim 230.5 8"FL 220.95 IN 8"FL 220.70 OUT
SSMH-5 Rim 229.8 8"FL 221.47 IN 8"FL 221.22 OUT
SSMH-6 Rim 236.0 8"FL 233.09 OUT
SSMH-7 Rim 236.1 8"FL 224.60 IN 8"FL 224.35 OUT
SSMH-8 Rim 236.1 8"FL 228.65 OUT
MATCH EX 10"FL 219.53
40 0 20 40 80
(IN FEET) 1 INCH = 40 FT.

ESPERANZA AT SAN MARCO

PRELIMINARY UTILITY PLAN

ESPERANZA AT SAN MARCO

CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER DAVID O. ISAKSON NO. 21764 CIVIL STATE OF CALIFORNIA

APPR. DATE

Isakson & Assoc. Inc.
civil engineering & land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone: (925) 937-9333

DATE: 02-09-17	DESIGNED BY: DOI	DRAWN BY: JDVL	CHECKED BY: DOI	JOB NO. 201303	SHEET C5 OF 5

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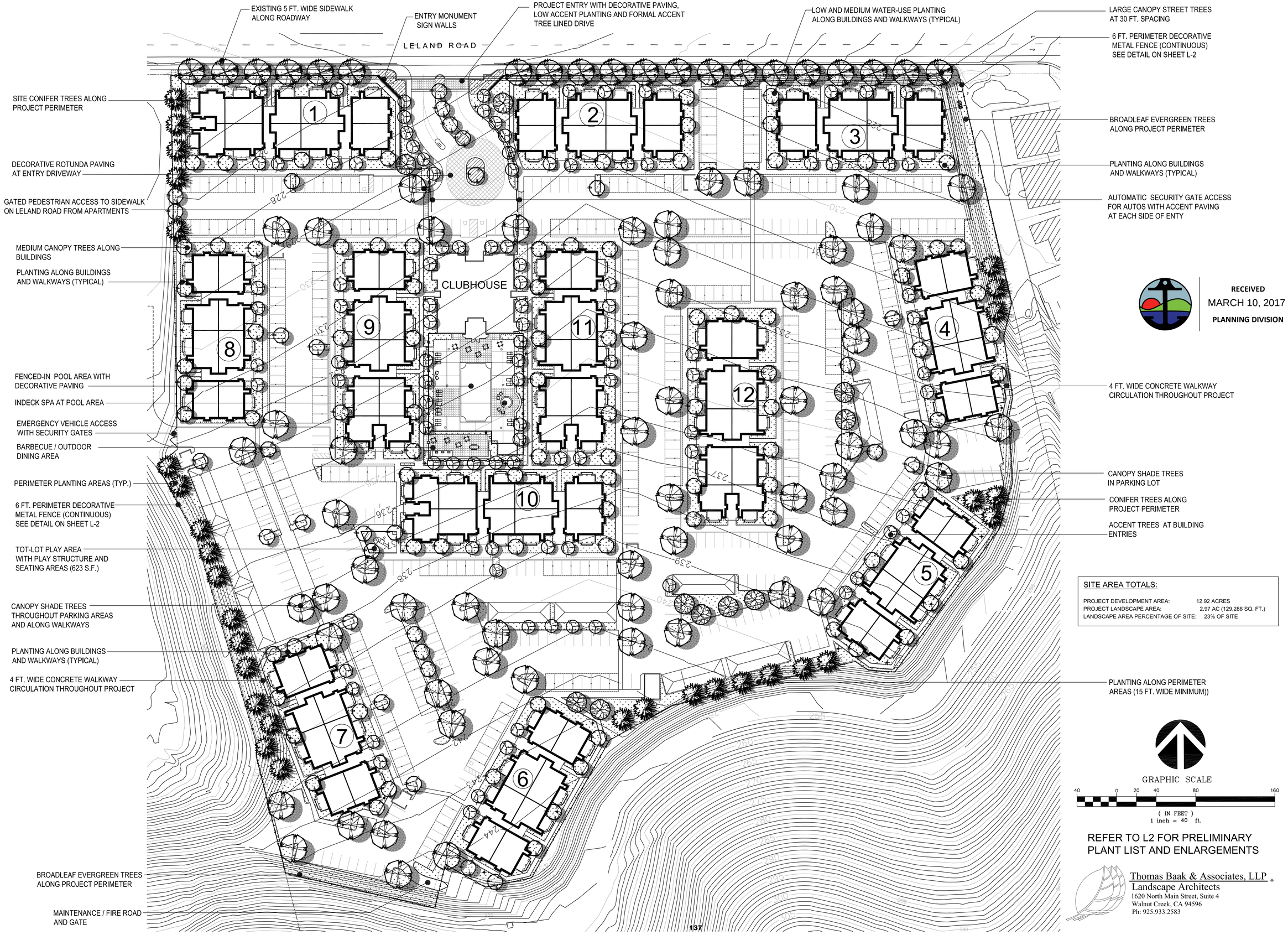

RECEIVED
MARCH 10, 2017
PLANNING DIVISION

SITE AREA TOTALS:

PROJECT DEVELOPMENT AREA:	12.92 ACRES
PROJECT LANDSCAPE AREA:	2.97 AC (129,288 SQ. FT.)
LANDSCAPE AREA PERCENTAGE OF SITE:	23% OF SITE

REFER TO L2 FOR PRELIMINARY PLANT LIST AND ENLARGEMENTS

Thomas Baak & Associates, LLP
Landscape Architects
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

LCA ARCHITECTS
CARL E. CAMPOS | DAVID BOGSTAD | PETER STACKPOLE
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PITTSBURG, CALIFORNIA
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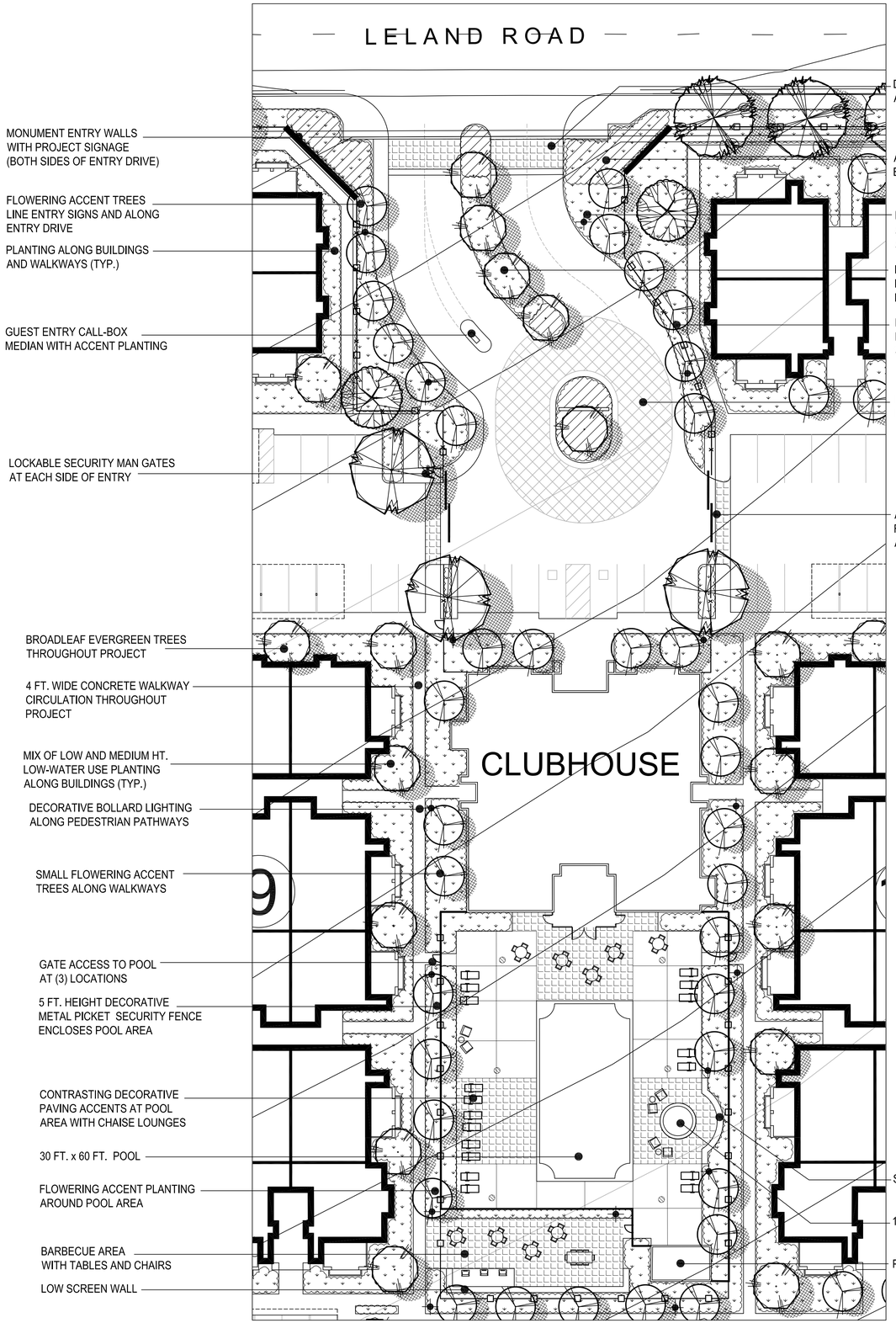
MASTER PRELIMINARY LANDSCAPE PLAN

SCALE:
DATE: 2/24/2017
REVISIONS:

PROJECT NO. 13012

L1

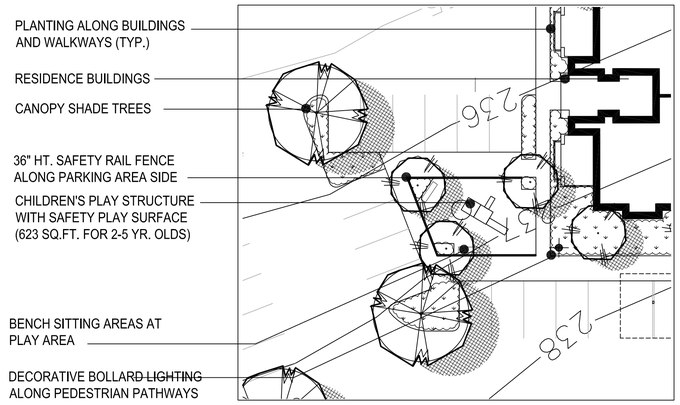
SHEET OF



PROJECT ENTRY AND CLUBHOUSE AREA



PROJECT SIGNS AT ENTRY WALLS



CHILDREN'S PLAY LOT AREA

PRELIMINARY PLANT LIST:

LARGE CANOPY SHADE TREES: 15 GALLON SIZE
ACER RUBRUM (SCARLET MAPLE)
PLATANUS ACERIFOLIA 'COLUMBIA' (PLANETREE)
QUERCUS COCCINEA (SCARLET OAK)
ULMUS PARVIFOLIA (CHINESE ELM)
ZELKOVA SERRULATA (ZELKOVA TREE)

MEDIUM CANOPY TREES: 15 GALLON SIZE
CARPINUS BETULAS 'FRANS FONTAINE' (HORNBEAM)
FRAXINUS OXY. 'RAYWOODII' (RAYWOOD ASH)
PISTACIA CHINENSIS (CHINESE PISTACHE)

CONIFER TREES: 15 GALLON
CEDRUS DEODARA (DEODARA CEDAR)
PINUS ELDARICA (AFGHAN PINE)

BROADLEAF EVERGREEN TREES: 15 GALLON SIZE
ARBUTUS 'MARINA' (MARINA)
LAURUS NOBILIS (SWEET BAY)
LOPHOSTEMON CONFERTUS (BRISBANE BOX)
OLEA EUROPEA (FRUITLESS OLIVE)
QUERCUS AGRIFOLIA (COAST LIVE OAK)

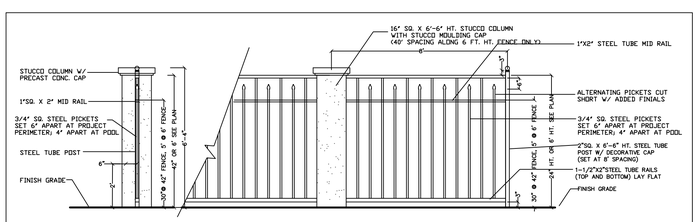
ACCENT TREES: 15 GALLON SIZE
CERCIS OCCIDENTALIS (REDBUD)
CRATAEGEUS LAEVIGATA (FLOWERING CRABAPPLE)
LAGERSTROEMIA SPECIES (CRAPE MYRTLE)
PRUNUS CERASIFERA (PURPLE-LEAF PLUM)

ACCENT PERENNIALS/GRASSES: ONE GALLON SIZE
CAREX SPECIES (SEDGE)
DIETES VEGETA (FORTNIGHT LILY)
ERIGERON KARVINSKIANUS (SANTA BARBARA DAISY)
HEMEROCALLIS SPECIES (DAYLILY)
LANTANA MONTEVIDENSIS (LANTANA)
LAVANDULA AUGUSTIFOLIA (ENGLISH LAVENDER)
NASSELLA SPECIES (FEATHER GRASS)
PENNISETUM SPECIES (FOUNTAIN GRASS)
PHORMIUM SPECIES (FLAX)

SHRUBS: 5 GALLON SIZE
ABELIA SPECIES (ABELIA)
ARCTOSTAPHYLOS 'HOWARD MCMINN' (MANZANITA)
BERBERIS THUNBERGII (BARBERRY)
BUXUS JAPONICA (BOXWOOD)
CEANOTHUS SPECIES (WILD LILAC)
CISTUS SPECIES (ROCKROSE)
HETEROMELES ARBUTIFOLIA (TOYON)
LIGUSTRUM TEXANUM (PRIVET)
MYRTUS COMMUNIS (DWARF MYRTLE)
PITTOSPORUM SPECIES (MOCK ORANGE)
PLUMBAGO AURICULATA (CAPE PLUMBAGO)
RHAMNUS CALIFORNICA 'EVE CASE' (COFFEEBERRY)
RHAPHIOLEPIS INDICA (INDIA HAWTHORN)
ROSMARINUS 'TUSCAN BLUE' (TUSCAN ROSEMARY)
SALVIA SPECIES (SAGE)
TEUCRIUM FRUTICANS (GERMANDER)
VIBURNUM TINUS 'SPRING BOUQUET' (LAURUSTINUS)

GROUNDCOVERS: ONE GALLON (SPACING NOTED)
ARCTOSTAPHYLOS 'POINT REYES' (MANZANITA) - 36" O.C.
COPROSMA 'VISTA VERDE' (COPROSMA)-36" O.C.
COTONEASTER 'LOWFAST' (COTONEASTER) - 42" O.C.
ROSMARINUS PROSTRATUS (ROSEMARY) - 36" O.C.

GENERAL NOTES:
1. ALL PLANTING SHALL BE WATERED BY A FULLY AUTOMATIC, WATER-CONSERVING IRRIGATION SYSTEM, COMPRISED OF DRIP APPLICATION AND LOW PRECIPITATION BUBBLERS.
2. ALL PLANTING AREAS SHALL RECEIVE A 3" LAYER OF FIRBARK MULCH DRESSING.
3. NO TURF IS PROPOSED FOR THE PROJECT.



PROJECT DECORATIVE METAL FENCE DETAIL

GRAPHIC SCALE
10 0 5 10 20 40
(IN FEET)
1 inch = 10 ft.

Thomas Baak & Associates, LLP
Landscape Architects
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

LCA ARCHITECTS
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Esperanza at San Marco

PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

LCA ARCHITECTS
RESTRICTED ARCHITECTURAL DRAWINGS

THE INFORMATION, PLANS, DESIGNS, NOTES AND ARRANGEMENTS SHOWN ON THIS DRAWING ARE CONFIDENTIAL AND MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE EXPRESSED WRITTEN PERMISSION OF LCA ARCHITECTS. DRAWINGS NOTED AS PRELIMINARY, SCHEMATIC AND / OR CONCEPT CONTAIN INFORMATION THAT IS CONCEPTUAL AND SUBJECT TO VERIFICATION AND/OR CHANGE. THE ARCHITECT MAKES NO CLAIM FOR ACCURACY OF CONCEPTUAL INFORMATION OR OF INFORMATION SUPPLIED BY OTHERS.

PRELIMINARY ENLARGEMENT PLANS

SCALE:
DATE: 2/24/2017
REVISIONS:

PROJECT NO. 13012

L2

SHEET OF

701.03

PC
RESO
10060
4-25-17

City of Pittsburg

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

Date: May 8, 2017

SUBJECT: RESOLUTION NO. 10060

Dear Applicant,

Enclosed is a copy of the resolution adopted by the Planning Commission. A copy of our Standard Conditions of Development is also included. Please read the enclosed documents and retain them for your files. All conditions of approval shall be incorporated into subsequent plan submittals and construction documents, where appropriate.

The enclosed resolution is valid for a limited period of time as specified in the resolution. Please make a note of the applicable expiration date and plan your construction timeline accordingly to avoid the loss of your entitlements.

If you have any questions about the enclosed resolution, please contact the Planning Division at the number listed above.

Sincerely,

Kristin Pollot, AICP
Planning Manager

Enclosures: (2) Resolution No. 10060
Standard Conditions of Development

Let us know how we did! You are invited to complete an online customer service satisfaction survey to provide feedback on our planning services. We value your input and look forward to hearing how we might improve our customer experience. The survey takes less than five minutes and can be filled out at https://goo.gl/ZZaf73.

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Design Review Approval of Architectural and Site Development Plans to Construct a 318-Unit Apartment Complex Along the Southern Side of West Leland Road, Immediately West of Tomales Bay Drive, for, "Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)."	)	Resolution No. 10060

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

A. On June 10, 2013, Louis Parsons of Discovery Builders, Inc., filed Design Review Application No. 13-932, requesting design review approval of plans to construct a 318-unit apartment complex along the south side of West Leland Road, immediately west of Tomales Bay Drive. The project consists of 12 three-story buildings and site improvements on 13.3 acres in 'Village M' of the San Marco PD (Planned Development, Ordinance No.12-1362) District. Assessor's Parcel No. 097-550-018.

B. On April 3, 1990, the City Council adopted Ordinance No. 90-990, certifying a negative declaration and authorizing the execution of the Southwest Development Agreement (DA) for the development of 2,938 residential units on 639 acres in the southwest hills of Pittsburg. The DA established provisions under which the development would be built, including land use regulations, fees and assessments, and infrastructure.

C. On January 19, 1993, the City Council adopted Resolution No. 93-7888, certifying a subsequent environmental impact report (SEIR) for the 2,938-unit project currently known as the San Marco Development. On the same evening that the City Council certified the SEIR, it adopted Ordinance No. 93-1057 zoning the San Marco Development property to a residential PD (Planned Development) District, with a PD Plan consisting of 1,412 single-family residential units and 1,526 multifamily residential units.

D. On October 1, 2001, the Council adopted Ordinance No. 01-1187, extending the term of the DA from its original horizon year of 2002 to an amended horizon year of 2020.

E. On February 3, 2003, the first amendment to the PD plan was adopted as a City-initiated amendment to increase lot coverage allowances for single-family homes

in this and other PD Districts (Ordinance No. 03-1204).

F. On August 7, 2003, the second amendment to the PD plan was adopted as an applicant-initiated amendment to the San Marco Development park requirements in order to consolidate several mini-parks in the original development plan into two larger community parks, consistent with current (2001) General Plan policy in support of larger parks for more efficiency in maintenance (Ordinance No. 06-1270). This second amendment allowed single-family houses to be built on the former mini-park sites, provided that the number of multifamily units was decreased correspondingly (which resulted in an exchange of approximately 12 multifamily units for single-family units).

G. On October 15, 2012, the third amendment to the PD plan was adopted as an applicant-initiated amendment to facilitate a exchange of single family residential units between Village A and Village O (Ordinance No. 12-1362).

H. On April 15, 2013, the Council adopted Ordinance No. 13-1369, approving a second extension of the term of the DA from horizon year 2020 to a new horizon year of 2032.

I. The proposed project is governed by the policies and development standards in the 1988 Pittsburg General Plan, the most recently adopted PD plan (Ordinance 12-1362), and the Pittsburg Municipal Code (PMC) regulations and development policies that predate the San Marco Development Agreement, which took effect on July 1, 1993.

J. Development of this project site (Village M) as a multifamily residential project was envisioned in and is consistent with the most recent iteration of the PD plan, and the entire PD plan was determined to be consistent with the applicable General Plan (1988) at the time it was approved.

K. This project is exempt from the requirements of the City's Inclusionary Housing Ordinance (PMC, section 18.86), which was adopted in 2004, because the project is subject to the San Marco Development Agreement (City Council Ordinance No. 13-1369). Provisions of this agreement expressly prohibit application of rules, regulations and policies that come into effect after July 1, 1993.

L. The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project is in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. Furthermore, there are no substantial changes that have occurred with respect to the circumstances under which the SEIR was certified.

M. Although not required by the PMC, on or prior to April 14, 2017, notice of the April 25, 2017, public meeting to consider design review of the proposed project was posted at City Hall, the Pittsburg Library, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice.

N. On April 25, 2017, the Planning Commission held a meeting on Design Review Application No. 13-932, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, "Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project is in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. Furthermore, there are no substantial changes that have occurred with respect to the circumstances under which the SEIR was certified.

3. The structures conform with good taste, good design and in general contribute to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the proposed project features 'Mediterranean' architecture characterized by Spanish tile hipped roofs, integrated towers and cupolas, plaster exterior finishes, arched windows and walkway entries, grid-patterned glass, decorative ironwork, and tile borders and accents. The proposed project will also provide direct access to the adjacent Ray Giacomelli Park, which offers residents additional recreational amenities.

4. The structures will be protected against exterior and interior noise, vibrations and other factors which may tend to make the environment less

desirable, in that mitigation measures for these factors have been evaluated in the SEIR prepared for the San Marco Development Plan. The mitigation measures to be implemented with the construction of the proposed project require the developer ensure interior spaces exposed to 60 dB exterior noise levels be provided with mechanical ventilation so that windows can be closed, provide sound rated glazing, or submit an acoustical study that recommends measures necessary to attain the acceptable noise level performance standards established in the City's current General Plan for multi-family development.

5. The exterior design and appearance of the structures are not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance. The proposed structures feature 'Mediterranean' architecture characterized by Spanish tile hipped roofs, integrated towers and cupolas, plaster exterior finishes, arched windows and walkway entries, grid-patterned glass, decorative ironwork, and tile borders and accents, which evoke the feeling of resort-style living.

6. The structures are in harmony with proposed developments on land in the general area, in that the proposed architecture and theme of the Esperanza Apartments at San Marco are complimentary to the overall architectural theme of other multifamily developments and the detached single family homes in the San Marco Development Plan area.

7. Although not required for this project (given the terms of the San Marco Development Agreement), the application will conform with the city adopted Development Review Design Guidelines (DRDGs), specifically sections I.a, VI.C.3, VI.C.5, VI.C.7, and VI.C.8, if conditions are added to require: 1) air conditioning units and other utilities be undergrounded or substantially screened from public view; 2) prewiring for solar panels is provided on all new carports; 3) the developer install two electric vehicle charging stations, as well as prewire for an additional 10 stations; 4) at least 16 bike parking spaces are provided for guests within outdoor racks, to be evenly distributed throughout the site; 5) permanent wall mounted bike storage systems are provided within each garage unit for residents; and 6) the project incorporates the most recent acceptable best management practices for water-efficient landscape design, consistent with PMC section 18.84.310.

B. The staff report entitled, "Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)," dated April 25, 2017, is referenced hereto as additional support for the findings.

Section 3. Decision

A. Based on the findings set forth above, the Planning Commission hereby

approves Design Review Application No. 13-932, subject to the following conditions:

1. The project shall be constructed in substantial conformity with the project plans date stamped March 10, 2017, except as hereinafter may be modified.

2. The site shall be kept clean and free of all litter, debris and refuse, and all landscaping on site shall be kept weed free and maintained in a healthy condition.

3. The walls and ceilings for all breezeways shall be painted Body Color 1, Kelly Moore 'Toasted Oatmeal' (KM4527-1).

4. Lighting shall be installed within all breezeways and shall be on sensors to ensure that adequate lighting is provided during all hours of the day.

5. Lighting installed along the outside of the clubhouse and garages shall be decorative wrought iron accent sconces similar to those proposed along the residential building elevations. Final design of the sconces shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.

6. A minimum 100 square foot pervious area shall be made available on the site as a location for residents to maintain a community garden. The developer shall place a sign at the garden site indicating the availability of the space for a garden. The developer shall also provide an outdoor faucet at the site for irrigation as needed.

7. Prior to issuance of a certificate of occupancy for each building, the developer shall install minimum six-inch high block style numbers at two points on each building façade for purposes of address identification. The numbers shall be in a color that is contrasting to the background surface to which they are adhered and shall be readily visible from the closest parking lot aisle.

8. A minimum of 16 bicycle parking spaces shall be provided for residents and/or guests. Bicycle parking facilities shall be divided into a minimum of two separate areas. The bicycle rack(s) may be covered by a shelter. The design, color and proposed location of the racks shall be reviewed and approved by the Planning and Engineering Divisions prior to issuance of a building permit.

9. The developer shall install a minimum of one bollard-style self-service bicycle repair station adjacent to one of the required bicycle parking facilities to allow residents to perform basic repairs and maintenance. The

final location and design of the bicycle repair station shall be subject to review and approval by the Planning Division prior to installation.

10. One permanent wall mounted bike storage system shall be provided inside of each garage unit for use by residents.

11. The following proposed carports shall be designed with a pitched roof and finished with roofing materials similar to those used on the main dwelling units:

    a. The westernmost carports adjacent to the future park between proposed buildings 1 and 8;

    b. The carports adjacent to West Leland Road between proposed buildings 2 and 3.

12. The developer shall install a minimum of two (2) electric vehicle charging stations, and prewiring for an additional 10 electric vehicle charging stations.

13. Carport roofs shall be equipped with prewiring for solar collector or photovoltaic panels.

14. Building roofs shall be equipped with prewiring for solar collector or photovoltaic panels.

15. All pedestrian pathways throughout the site shall include pedestrian scale lighting fixtures less than 12 feet in height, or low-level pathway lights. Final pathway lighting design and placement shall be subject to review and approval by the Planning Division prior to installation.

16. A lockable access gate shall be installed southwest of Building 6, as shown in the approved project plans.

17. All utility equipment, including utility boxes, transformers, meters, and junction boxes shall be undergrounded whenever possible (see Condition No. 63, below). All air conditioning units (in private and common areas) and utility equipment which cannot be undergrounded shall be substantially screened from view by way of a permanent screen or appropriately sized plant material (City of Pittsburg DRDG II.h and III.a). The final method and design of the screening shall be reviewed and approved by the Planning and Engineering Divisions prior to issuance of an engineering or building permit.

18. The developer shall provide a lighting and photometric plan showing the location, type, and design of all outdoor lighting including but not limited to

exterior building lighting (fixed and freestanding), lights for pedestrian and/or automobile circulation, security, landscaping, and building accents.

19. Prior to issuance of a building permit, the developer shall submit a detailed landscaping and irrigation plan and other documentation as required by the state model water efficient landscaping ordinance or other local water efficient landscaping ordinance in effect at the time the developer applies for a building permit. Prior to issuance of a certificate of occupancy, the developer shall complete and submit all certifications confirming that the landscaping and irrigation were installed in compliance with the approved detailed landscaping and irrigation plan, as required pursuant to the applicable ordinance in effect at the time the developer applies for a building permit.

20. The project shall incorporate the most recent acceptable best management practices for water-efficient landscape design, consistent with PMC section 18.84.310.

21. Trash enclosures and compactors shall incorporate architectural details and a matching tile and hipped roof, instead of a metal roof as indicated on Sheet A8 of the project plans.

22. All trash enclosures shall be sized in order to meet the requirements of Assembly Bill (AB) 341. Final design shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.

23. The 12-foot long rear wall of the trash enclosure shall be extended four (4) feet in order to screen views into the trash area.

24. All trash enclosures and trash compactors shall be stucco-finished and painted to match the main apartment buildings and/or garages on site. Final design shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.

25. Trash enclosures shall be constructed with a low berm at their entrances or its interior floor shall be sloped slightly so as to prohibit waste liquids from discharging out of the enclosure and entering a storm drain. Storm drains shall not be located within the drainage area of the enclosure.

26. The developer shall label all onsite storm drains with "No Dumping Drains to River" stencils or other medium and similar message approved by the Planning Division.

Applicable Mitigation Measures:

27. The project shall be designed to comply with the mitigation measures and performance standards specified in the San Marco Subsequent Environmental Impact Report (SEIR; SCH #91073029), for the San Marco Development Plan Area. Where there is conflict between the mitigation measures and performance standards specified in the SEIR and the specific conditions of approval specified in this resolution, the SEIR shall govern. These mitigation measures include but are not limited to the following:

a. Noise:

i. Interior spaces exposed to 60 dB or greater exterior noise levels shall be provided with mechanical ventilation so that windows can be closed. In some cases, sound rated glazing may be required.

ii. To reduce identified impacts, project construction shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. All equipment used in the project shall be muffled and maintained.

These measures shall be reflected on building and site development plans and shall be subject to review and approval by the Planning Division prior to issuance of a site development permit or building permit. Alternatively, the developer may comply with this condition of approval by submitting an acoustical study conducted by a professional acoustical engineer that evaluates the existing noise levels on the site and recommends measures necessary to attain the acceptable noise level performance standards established in the City's current General Plan for multi-family development. If an acoustical study is prepared, it shall be submitted to the Planning Division for review and approval prior to issuance of a grading permit. If applicable, any new recommended mitigation measures identified in the acoustic study shall be implemented in the building plans and site development plans for the project and shall be subject to review and approval of the Planning Division prior to issuance of a site development permit or building permit.

b. Transportation:

i. The applicant shall provide all residents, upon request, information on available public transit opportunities.

ii. The project shall be required to pay the Local Traffic Mitigation Fee to offset City-wide traffic impacts (see Condition No. 34).

iii. The project shall be required to pay the Regional Traffic Mitigation Fee to offset City-wide traffic impacts (see Condition No. 35).

iv. To mitigate onsite intersection impacts, signalize the Village M access drive (see Condition No. 42).

c. Soils and Geology:

i. Grading/foundation designs shall be prepared for each lot based on a standard soils test performed by a qualified geotechnical professional on each lot after mass grading has been completed, and an associated report recommending appropriate lot-specific foundation design, soil preparation, and selective grading measures.

A drainage plan shall be prepared by a registered civil engineer for each lot in compliance with the provisions listed in SEIR section IV.D.3.b(1) to avoid impacts of expansive earth materials due to improper surface drainage.

ii. A project erosion control plan shall be prepared and implemented by the project civil engineer and a qualified geotechnical professional. The plan shall include construction of "V"-lined ditches on all graded slopes, shall designate all drainageways as public storm easements, shall incorporate ABAG-recommended erosion control measures, and should incorporate best management construction practices.

iii. To mitigate the potential effects of differential settlement: 1) all fill shall be placed so as to minimize settlement; 2) subsurface drains shall be placed under all fills; 3) a fill settlement monitoring program shall be implemented.

iv. Seismic-related hazards may be offset through construction of project buildings and foundations, underground utilities, and other improvements in compliance with all public agency requirements.

v. Groundwater-related geotechnical hazards shall be offset by construction of a subsurface drainage system in all fill areas (especially all springs and streams to be covered), construction of trench drains across all onsite valleys in which fill is proposed to extend offsite, subdrainage measures as needed at utility trenches, design of a surface drainage system which will not create adverse impacts on the groundwater regime, and education of maintenance staff regarding the hazards of over-irrigation of landscape areas.

vi. Onsite grading shall be balanced to the extent possible to reduce or eliminate necessary offsite hauling of dirt.

d. Drainage and Water Quality:

   i. Prior to construction, a hydrology report describing the project drainage system design details must be submitted to all affected agencies. The report must present a complete hydraulic analysis of discharge from the project beneath Highway 4, and the capacity of the proposed retention basins.

   ii. The project grading plan shall include an approved drainage and erosion control plan and an associated ongoing inspection program, as described in SEIR sections IV.D.3 (Soils and Geology) and IV.E.3.b (Drainage and Water Quality).

e. Air Quality:

   i. Construction period air quality impacts should be reduced through implementation of the construction practices described in SEIR section IV.J.3(a), including:

      - Suspending earth-moving or other dust-producing activities during periods of high winds when dust control measures are unable to avoid visible dust plumes;
      - Providing equipment and staffing for watering of all exposed or disturbed soil surfaces sufficient to suppress dust plumes including weekends and holidays. An appropriate dust palliative or suppressant added to water before application should also be utilized;
      - Watering or covering stockpiles of debris, soil, sand, or other materials that can be blown by the wind;
      - Sweeping construction area and adjacent streets of all mud and debris since this material can be pulverized and later resuspended by vehicle traffic;
      - limit the speed of all construction vehicles to 15 miles per hour while on site
      - all materials transported by truck should be covered or wetted down as needed to suppress visible dust; and
      - all excavated inactive portions of the site should be watered with an appropriate dust suppressant covered or seeded.

f. Municipal Services:

   i. The developer shall submit school impact fees prior to issuance of an engineering or building permit.

g. Cultural Resources:

i. An archeologist familiar with the history of the site shall be present to monitor site clearing and grading to identify and remove and significant artifacts in this area and 19th century artifacts discovered in this process. All known and discovered historic resources shall be catalogued and described in a summary archaeological report which will constitute preservation of the site's cultural resources in written form.

Engineering Fees:

Improvement and Grading Plan Review fees:

28. The developer shall pay one half of the Engineering Grading and/or Improvement Plan Review Fee with the initial submittal of plans, maps, or other documents for plan review. The Plan Check Fees are based upon the Engineer's Estimate, which shall also be provided at the time the plans are submitted. The Improvement Plan Check fees are 3.5% of the cost of the improvements based upon the approved Engineer's Estimate. The Grading Plan Check Fee is 2.5% of the Engineer's Estimate, or may be based upon cubic yards of grading. The deposit(s) shall be credited toward the final fee(s) as determined at engineering permit issuance based upon the final, approved Engineer's Estimate. The deposit shall be paid to the Engineering Division.

Improvement and Grading Inspection Fees:

29. The developer shall pay the Improvement and/or Grading Inspection Fee(s) to the Engineering Division at the time of the Grading or Single Parcel Development Permit is issued. The current Improvement Inspection Fee is 5% of the cost of grading, and the Grading Inspection Fee is 3% of the cost of Grading. The Grading Inspection Fee may also be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges.

LIS Update Fees:

30. The developer shall pay $100 per unit to the Engineering Division at the time of the issuance of the Site Development Permit to update the City Land Information System.

NPDES:

31. The developer shall pay an NPDES Plan Review (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the developer obtains a Grading permit. The developer understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No.

10-11510, a copy of which is available at the City.

32. The developer shall pay an NPDES Inspection Deposit (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the developer obtains a Grading permit. The developer understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

Facility Reserve Charge:

33. The developer shall pay the City of Pittsburg Facilities Reserve Charge (FRC) (PMC Chapters 13.08, 13.12 and 13.24) to the Engineering Division for water and sewer service in the amounts in effect when the developer obtains a Building Permit. The developer understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10291, and amended by Resolutions No. 05-10372 and No. 12-11778, on February 21, 2012, copies of which are available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a Building Permit.

Traffic Mitigation Fees:

34. The developer shall fulfill their Local Transportation Mitigation Fee ("LTMF") requirements in accordance with the Memorandum of Understanding for payment of Local Transportation Mitigation Fees dated December 22, 1992, as amended and approved by City Council with the adoption of Resolution 93-7890. The developer understands that the LTMF currently on file is $4,860 per multifamily dwelling unit. The developer further understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a building permit by the City's Building Division.

35. The developer shall pay the Regional Transportation Mitigation Fee ("RTMF") to the Engineering Division prior to the issuance of a building permit. The Developer shall fully comply with the Memorandum of Understanding dated June 29, 2010, as amended and approved by City Council Resolution 13-11963, including payment of the fees referenced

therein.

Parkland Dedication:

36. The developer shall fulfill their Parkland Dedication requirements in accordance with the 3rd Amendment to the San Marco Development Agreement.

Engineering Submittals:

37. The developer shall submit to the City's Engineering Division, for review and comment, five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:

    a. A Site Plan
    b. A Grading and Drainage Plan
    c. A Utilities Plan
    d. A Landscaping and Irrigation Plan
    e. A Stormwater Control Plan and Report
    f. An Erosion and Sedimentation Control Plan
    g. A Joint Trench Plan

38. The developer shall submit to the Engineering Division a current geotechnical report that substantiates the design features incorporated into this project, including but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and issuance of any Engineering permits.

39. The developer shall submit an Engineer's Estimate to the Engineering Division for review and approval with the first plan submittal. This estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the building structure itself.

General Engineering Conditions

40. All grading work shall be done in accordance with the provisions of Chapter 15.88 of the Pittsburg Municipal Code.

41. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a Site Development Permit shall be required, whereby specific engineering requirements will be made as conditions of approval.

42. The developer shall design and construct a traffic signal and median modifications on West Leland at the project entrance. The design of the traffic signal and median modifications, including installation of crosswalks as appropriate, shall be subject to approval by the City Engineer.

43. The developer shall provide the City with a Public Utility Easement (PUE) along West Leland Road for access to the water meter and backflow device. Services for water and sewer shall terminate behind the sidewalk at meters and lower laterals, within the PUE.

44. The developer shall provide the City with a sanitary sewer manhole structure within the utility easement to be dedicated to the City along West Leland Road.

45. The developer shall provide the City with an easement for access and maintenance of the 36" storm drain system that conveys the stormwater from the south eastern portion of the site to the northeastern portion of the property.

46. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.

47. The developer shall provide a minimum 6-foot wide sidewalk along West Leland Road, spanning the length of the property limits along West Leland Road and connecting to existing sidewalks on either side of the property.

48. The developer shall ensure all stormwater runoff is retained within the project boundaries.

General NPDES Conditions:

49. Prior to issuance of a Grading Permit, the developer shall submit to the Engineering Division for review an Erosion and Sedimentation Control Plan and a copy of the Notice of Intent (NOI), which was submitted to the State Water Resources Control Board. The erosion control/SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The SWPPP measures shall also include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.

50. The developer shall incorporate long-term BMPs for the reduction or elimination of storm water pollutants. The project design shall incorporate, wherever feasible, the following long term BMPs to limit pollutant generation, discharge, and runoff. Such source control design measures may include:

a. incorporating landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices;
b. providing covered trash, food waste, and compactor enclosures;
c. use of pavers for walkways and other appropriate hardscape surfaces to minimize impervious areas;
d. minimizing the amount of directly connected impervious surface area;
e. constructing concrete driveway weakened plane joins at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter; and
f. plumbing of the following discharges to the sanitary sewer, subject to Delta Diablo Sanitation District's authority and standards:
    i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurant.
    ii. Dumpster drips from covered trash and food compactor enclosures.
    iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
    iv. Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.

51. Grading and/or building permit plans (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design featured, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants.

52. The developer shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities shall be borne by the developer.

53. The design and construction of storm drain, water, and sewer facilities shall be in accordance with Section 17.28.020 of the Pittsburg municipal Code.

54. The developer shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.

55. The developer shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.

56. In accordance with PMC12.36.130, the developer shall ensure that all utility service laterals and equipment (including, but not limited to, electric,

communication and cable television lines) installed in and for the purpose of supplying service to any other new construction or use shall be installed underground on the property to be served, and from the property to be served to the point of connection with the utility's distribution facilities, in accordance with utility filed rules as approved by the California Public Utilities Commission or as approved by the City Engineer.

Landscaping located within the Public Right of Way:

57. The developer shall provide a Central Irrigation System that is compatible with Rainmaster DX 2 Evolution, with a remote control included with the package. The installation of this system shall be certified by a John Deere Landscapes United Greentech representative prior to the City's acceptance of the installation.

58. The developer shall design the landscaping within the areas of public right of way in accordance with the provisions of Section 18.84.320 of the Pittsburg Municipal Code, and current standard details dated May 2007.

Additional Engineering Exactions:

59. The developer may elect to annex into Community Facilities District (CFD) 2017-1 for Fire Safety Services once the district has been established. If the developer elects to annex into CFD 2017-1, the developer shall deliver written approval, in a manner acceptable to the Community Development Director, stating that the owner of the parcel is electing to annex the subject property into CFD 2017-1.

Standard Conditions:

60. 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.

61. 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. 10060 shall govern.

62. Developer 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 developer's sole cost and expense. Developer may select its own legal counsel to represent developer's interests at developer's sole cost and expense. Developer 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.

63. This design review approval will expire on April 25, 2020, unless a building permit or grading permit has been issued for purposes of construction of this project, or a written request for an extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of permit issuance, unless work is commences and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner Coniglio, seconded by Commissioner Fardella, the foregoing resolution was passed and adopted the 25th day of April, 2017, by the Planning Commission of the City of Pittsburg, California by the following vote:

AYES: Coniglio, Croskey, Fardella, Foster, Gargalikis, Guerrero

NAYES:

ABSTAIN:

ABSENT:

I hereby certify that the above Resolution No. 10060 was adopted by the Planning Commission of the City of Pittsburg on April 25, 2017.

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

STANDARD CONDITIONS OF DEVELOPMENT

(Planning Commission Resolution No. 8931)

All projects approved by the Planning Commission must meet the following standard conditions unless specifically exempted by the Commission or Council.

A. Project Site.

1. The applicant shall comply with all regulations and code requirements of the Building Division, Engineering Division, Contra Costa Fire Protection District, the Police Department and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final building and site plans.

2. Developer shall provide written notification to adjacent property owners for any drainage work required to collect or convey storm water runoff, which may or will affect their properties.

3. During construction water trucks or sprinkler systems are to be used in sufficient quantities to prevent dust from leaving the site during any earthmoving and/or construction activities. Nonpotable water shall be used from a source approved by the City Engineer. (Title 15 of PMC)

4. Continuous 6" high Portland Concrete Cement curbing shall be provided between all driveways and landscaped areas as indicated in the City of Pittsburg Standard Details. In addition to above, curbing between length of parking space and landscaped area shall include a 12" wide "Courtesy Curb."

5. CC&R's (Covenants, Conditions and Restrictions) for the project shall contain appropriate provisions for joint maintenance of any infrastructure, roadways, utilities, landscaping and irrigation as determined necessary by the City Engineer.

6. Developer shall submit a study addressing on and off-site storm water and sewer system capabilities. If the study indicates that the present system is inadequate, the developer must provide plans and install any additional storm water and sanitary and sanitary sewer facilities including off-site improvements to correct storm water runoff and sanitary sewer demands anticipated for upstream buildout in accordance with the Pittsburg General Plan.

7. Environmental and engineering studies, as directed by the Planning and Building Director, must be complete and on file prior to commencement to plan checking. Developer shall install off-street improvements determined necessary by the City Engineer to provide safe traffic conditions.

8. Developer shall underground existing and required on and off-site utilities as specified in Chapter 17 of the Municipal Code or as deemed necessary by the City Engineer.

9. All site development shall comply with title 12 (Streets, Sidewalks and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval of that permit.

10. The CC&R's shall restrict the storage of recreational vehicles on this site or parcels unless they are the principle source of transportation for the

owner and prohibit parking on the public street for long than 72 hours.

11. All retaining wall adjacent to public right-of-ways shall be provided with decorative treatment, subject to approval by the Planning Division.

12. The design of any masonry soundwall shall be approved by the Planning and Building Department. It shall match or harmonize with existing soundwalls of neighboring projects along that street.

B. Architecture.

1. All mechanical, irrigation, ground and/or roof mounted equipment shall be architecturally screened from view from all public right-of-ways prior to issuance of certificate of occupancy.

2. All trash enclosures shall be constructed of masonry material with self-enclosing doors and have a second access. The enclosure shall have materials and colors consistent with the primary building.

3. All vents, gutters, downspouts, flashing electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.

4. Soffits and other architectural elements visible from view but not detailed on the plans shall be finished in a material in harmony with the exterior of the building.

5. Finish quality of exterior design elements including, but not limited to, building façades and landscaping shall be subject to approval of the Planning Division prior to issuance of Certificate of Occupancy.

C. Landscaping.

1. Specific landscaping for screening shall have an appearance of mature growth subject to a field check and approval by the Planning Division prior to Certificate of Occupancy.

2. The area under the drip line of all existing trees, which are to be saved, shall be fenced during construction. Grading shall be restricted under them to prevent soil compaction around the trees and to protect them from damage.

3. An existing tree inventory shall be created and included on the site plan for all new projects prior to approval of grading plan.

4. All slope banks in excess of five (5) feet in vertical height and 2:1 or greater slope shall be landscaped and irrigated for erosion control and to soften their appearance as follows: one 15-gallon or larger size tree per each 150 sq. ft. of slope area, one 1-gallon or larger size shrub per each 100 sq. ft. of slope area, and appropriate ground cover 12-24 inches on-center. In addition, slope banks in excess of eight (8) feet in vertical eight and 2:1 or greater slope also include one 5-gallon or larger size tree per each 250 sq. ft. of slope area. Trees and shrubs shall be planted in staggered clusters to soften and vary slope plane. Slope planting required by this condition shall include a permanent irrigation system to be installed by the developer prior to occupancy.

5. All planting shall be maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning of debris and trash, fertilizing and regular watering. Whenever necessary, planting shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements. Required

irrigation systems shall be fully maintained in sound operating condition with heads periodically cleaned and replaced when missing to insure continued regular watering of landscape areas, and health and vitality of landscape materials.

D. General Requirements

1. Final inspection for occupancy permits will not be granted until all construction and landscaping is complete in accordance with approved plans.

2. The applicant shall defend, indemnify and hold harmless the City of Pittsburg, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner. In the event the city becomes aware of any such claim, action, or proceeding, the City shall promptly notify the applicant and shall cooperate fully in the defense. If the City fails to promptly notify the applicant, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City. Nothing contained in this condition prohibits the City from participating in the defense of any claim, action, or proceeding, it both the following occur: (a) the City bears its own attorneys' fees and costs; and (b) the City defends the action in good faith. The applicant shall not be required to pay or perform any settlement unless the applicant approves the settlement.

3. It is required by State Law (Business and Professional Code Section No. 5537 & 5538 and Section 302(b) of the Uniform Building Code) that all commercial buildings, new or existing must have a licensed professional designer (Architect, Civil or Structural Engineer) to design all changes of use or occupancy as well as new construction.

4. The applicant shall submit a complete area water pressure availability study for all phases of the Project prior to issuance of any development permits. If the study indicates that the present system is inadequate, the Applicant must provide plans, which will demonstrate any remedial action necessary to abate the deficiency and shall take all necessary actions at the applicant's expense.

5. This use permit may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the use permit or add/modify conditions approval.

6. It is the responsibility of the applicant or developer to check with each agency for requirements that may pertain to their project.

7. All signs shall be submitted to the Planning Division for design review per Title 19 of the Pittsburg Municipal Code.

8. All landscape areas shall be maintained in a healthy, thriving and weed free condition.

9. The site shall be maintained in a neat and clean manner free of trash and debris.

10. All outdoor mechanical equipment, satellite dishes, fire main and all rooftop equipment shall be fully visually screened upon installation subject to the approval of the Planning Division. Screening devices shall be shown on construction and/or landscape plans.

11. All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Parking Standards 18.78.050 (F) and Performance Standards 18.82.030 (B) and shall compliment the site and building architecture.

12. Prior to occupancy, the developer shall supply the City with an ACAD computer disk file showing plans that reflect the project as it was build (As-Builts) at the discretion of the Planning and Building Director.

E. Standard Conditions of Approval Requiring Minimum Construction Site Management Practices

1. (Projects involving land disturbances of less than five (5) acres) – During construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities which will be available at the pre-construct meeting of the project.

or

2. (Projects involving land disturbances of five (5) acres or more) – Prior to commencement of any site work that will result in a land disturbance of five acres or more, the project sponsor shall submit to the City a copy of the Notice of Intent (NOI) sent the State Water Resources Control Board and the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.

3. All storm drains, which serve the site, shall be protected from spills and soil runoff (from unpaved parking areas). The applicant may use "Any Source Control" BMP (Best Management Practice) as listed in the California Storm Water Best Management Practice Handbook for storm water run-ff for commercial and industrial sites. Storm drains will be inspected periodically. Questions may be referred to City NPDES Coordinator, at 252-4920.

CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
April 25, 2017

ITEM: **No. 4 - Esperanza Apartments at San Marco (Village M), AP-13-932 (DR).**

ORIGINATED BY: Kevin English, Discovery Builders, Inc., 4061 Port Chicago Highway, Suite H, Concord, CA 94520

SUBJECT: This is a request for design review approval of plans to construct a 318-unit apartment complex along the south side of West Leland Road, immediately west of Tomales Bay Drive. The project consists of 12 three-story buildings and site improvements on 13.3 acres in 'Village M' of the San Marco PD (Planned Development, Ordinance No.12-1362) District. Assessor's Parcel No. 097-550-018.

RECOMMENDATION:

Staff recommends that the Commission adopt Resolution No. 10060, approving Design Review Application No. 13-932, subject to conditions.

BACKGROUND:

San Marco Development Agreement: On April 3, 1990, the City Council adopted Ordinance No. 90-990, certifying a negative declaration and authorizing the execution of the Southwest Development Agreement (DA) for the development of 2,938 residential units on 639 acres in the southwest hills of Pittsburg. The DA established provisions under which the development would be built, including land use regulations, fees and assessments, and infrastructure. On October 1, 2001, the City Council adopted Ordinance No. 01-1187, extending the term of the DA from 2002 to 2020. On April 15, 2013, the Council adopted Ordinance No. 13-1369, approving a second extension of the term of the DA from 2020 to 2032.

San Marco PD Plan: On January 19, 1993, the City Council adopted Resolution No. 93-7888, certifying a subsequent environmental impact report (SEIR) for the San Marco Development, and adopted Ordinance No. 93-1057, zoning the San Marco Development property to a residential PD (Planned Development) District, with a PD Plan consisting of 1,412 single-family residential units and 1,526 multifamily residential units. The PD plan has been amended on three separate occasions since the original ordinance was adopted in 1993. The first amendment occurred in 2003, and was a City-initiated amendment to increase lot coverage allowances for single-family homes in this and other PD Districts (Ordinance No. 03-1204). The second amendment in 2006, was applicant-initiated, and amended the San Marco Development park requirements to consolidate several mini-parks in the original development plan into two larger community parks, consistent with the current (2001) General Plan policy which supports

larger parks for more efficiency in maintenance (Ordinance No. 06-1270). This second amendment allowed single-family houses to be built on the former mini-park sites, provided that the number of multifamily units was decreased correspondingly (which resulted in an exchange of approximately 12 multifamily units for single-family units). The third amendment (also initiated by the applicant) occurred in 2012, and facilitated an exchange of single family residential units between Village A and Village O (Ordinance No. 12-1362) in order to facilitate the development of the Toscana subdivision. The most recent iteration of the PD plan adopted as part of Ordinance No. 12-1362, divides the site into 14 total villages (ten planned for single family development and four planned for multi-family units). Of the four multi-family villages, only Village B (San Marco Villas) has been built to date.

Under the San Marco Development Agreement, Development Plan, and Planned Development District, the project site (known as Village M) is scheduled for up to 420 multi-family residential units on 22.3 acres (equaling a density of up to 18.8 dwelling units per acre).

PROJECT DESCRIPTION:

Existing Conditions: Village M currently consists of vacant, undeveloped land and is located on the south side of West Leland Road, immediately west of Tomales Bay Drive. The site has been previously graded into one large substantially flat pad. See Attachment 3 for an overview of surrounding land uses and existing conditions.

Transportation: The project site is located within close proximity to bus service and established bicycle routes. Bus stops for Tri Delta Transit Line #200 are located on the northeast and southeast corners of the West Leland Road and San Marco Boulevard intersection, less than 500 feet from the proposed project site. Tri Delta Transit has stopped service to this bus stop until ridership increases significantly from further San Marco development along West Leland Road. Village M is also located less than one mile from the Pittsburg/Bay Point BART Station, and is adjacent to a Class II bicycle facility which runs along West Leland Road.

Proposed Project: The proposed project consists of 12, three-story apartment buildings, housing a total of 318 one- and two-bedroom units, as well as related site improvements including drive aisles, parking, landscaping, walkways, lighting, and trash enclosures, spread across 13.3 acres of the larger 22.3 acre site. The project proposes two different building types, including seven 24-unit buildings (Type A) and five 30-unit buildings (Type B). Of the 12 apartment buildings on-site, three would be adjacent to Leland Road.

In total, the project proposes 102 one-bedroom, one-bathroom units, and 216 two-bedroom, two-bathroom units, ranging in size from 756-1,083 square feet in size. All units would include a kitchen, dining area, living room, in-unit washer and dryer, private patio, one walk-in closet, and 222 cubic feet of private storage area (separate from

interior closet space). Third floor units would also include gas fireplaces. The project includes an approximately 6,539 square foot clubhouse complete with a fitness area, theater, wi-fi lounge, and great room, along with office space and an onsite leasing area. The center of the development, behind the clubhouse, would include a pool, spa, and BBQ area for residents. The project site also proposes an onsite tot lot with play structure.

The clubhouse and apartment buildings feature a 'Mediterranean' architectural design characterized by Spanish tile hipped roofs, integrated towers and cupolas, plaster exterior finishes, arched windows and walkway entries, grid-patterned glass, decorative ironwork, and tile borders and accents.

The complex's entrance would align with the vehicular entrance to the Toscana residential subdivision to the north, and a condition of approval would require the developer install a new traffic light at the four-way intersection. The main entrance, stemming from Leland Road, would include decorative paving with monument signs located on either side. Two automatic security gates would be located at the end of the entry drive within the interior of the project site, and would be perpendicular to the street frontage, reducing the visual impact of these gates to pedestrians and vehicles travelling West Leland Road.

There are a total of 638 parking spaces distributed throughout the project site, including nine, six-car garages that would also provide residents with additional storage area. A total of 2.97 acres (23 percent) of the project area would be landscaped.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The San Marco Development area, including Village M, is subject to a development agreement that was originally approved by the City Council on July 1, 1993, and was subsequently amended on October 1, 2001, and April 15, 2013. The development agreement locked in the land use regulations at the time it was originally adopted. At the time the development agreement and PD plan were adopted, they were determined to be consistent with the applicable General Plan (1988). Since the proposed development is consistent with the development agreement and PD plan, the project would also be consistent with the applicable General Plan.

The 1988 General Plan includes several policies applicable to this site, including:

1. GP Land Use Chapter, Policy 2.1.R: Rely on the Architectural Review Process, City Planning Commission, and City Council to ensure that both public and private design meet the high standards of the City of Pittsburg and are consistent with the overall General Plan.

2. GP Land Use Chapter, Policy 2.2.D: Promote the creation of a balanced community and the provision of a high-quality environment offering a full range of

urban activities by the planned and orderly development of land in the Pittsburg Sphere of Influence.

3. GP Air Quality Chapter, Policy 8.3.A: Maintain good air quality in the Pittsburg Planning area.

Though the proposed project is not subject to the 2001 General Plan, it is consistent with many of the goals and policies contained within the current document. These have been outlined in Attachment 4.

Zoning: The current zoning for the site is PD (Planned Development District, Ordinance No. 12-1362) District, and the site is regulated by the conditions of approval set forth in the ordinance establishing the PD District. As previously discussed, the proposed project falls within the area designated as Village M in the San Marco Development Plan area, a 22.3-acre site with 420 residential apartment units planned and a maximum allowable density of 18 units per acre. Upon completion of the proposed project, the density for Village M would be approximately 14.3 units per acre, consistent with the maximum allowable density for this village.

In addition, since the current PD plan (Ordinance 12-1362) was adopted to amend the terms of the previous PD plan (Ordinance No. 06-1270), which was adopted to amend the terms of the original PD plan (Ordinance No. 93-1057), several conditions from the original plan are still applicable to the site. An analysis of the current project's consistency with applicable conditions of approval from the original San Marco PD District (Ordinance No. 93-1057), is provided below:

- Condition 4: The site plan and unit mixes for the multi-family and townhouse units on Villages B, C, O, and M shall be determined with approval of the design review application.

  The Commission is currently being asked to review the proposed site plan and unit mix for Village M. Staff has reviewed the proposed site plan and unit mix and believes that it complies with the intent of the current PD plan and project description of the SEIR previously prepared for the San Marco Development Plan.

- Condition 7: Subdued-appearing building materials and colors shall be utilized on all residential structures in order to minimize contrast with the surrounding hillside landscape. Specific details shall be reviewed with design review applications. This includes design review of apartments, townhouses, single-family production houses and custom homes.

  The proposed project plans utilize a subdued color palate consisting of earth tones befitting of the Mediterranean architecture style and consistent with surrounding uses and structures.

- Condition 10: Apartment and townhouse villages shall have substantial landscape areas in order to reduce visual impacts from Highway 4. Detailed plans shall be reviewed and approved with the design review application.

  Though not visible from Highway 4 due to the placement of the Toscana subdivision between the highway and proposed project, substantial landscaping, including a mix of trees, shrubs, and herbaceous plants and proposed. This includes the location of 20 large-canopy shade trees along the northern project border adjacent to West Leland Road, which would provide shade for pedestrians on the sidewalk as well as reduce the visual impact of the project from the right-of-way. In total, approximately 23 percent (2.97 acres) of total site development area would be landscaped, exceeding the minimum requirements for new apartment projects in the standard high density residential zoning district of the Pittsburg Municipal Code (PMC) which requires a minimum 20% landscape coverage (PMC 18.20.105).

- Condition 21: A recreational vehicle (RV) storage area shall be located on one of the villages containing apartments or townhouses. The size, location and design shall be approved by the Community Development Director. Management and maintenance of the RV facility shall be the responsibility of the apartment owner or townhouse homeowner's association. Regulations shall give first priority to residents of the project with provisions to allow use by the general public.

  An RV storage area is not proposed as part of Village M. Given that there are still two multi-family villages left to be developed, approval of the proposed Village M project would not prevent future implementation of this condition of approval.

- Condition 36: All applicable regulations of the Pittsburg Municipal Code, including zoning regulations where not otherwise specified in this resolution, shall apply.

  Those sections of the PMC which applied on or before July 1, 1993, apply to this project unless otherwise specified in the San Marco Development Agreement or Development Plan. As shown in Attachment 5, the proposed project is consistent with the applicable PMC policies.

Development Review Design Guidelines: The Development Review Design Guidelines (DRDG) were adopted by the Planning Commission on November 9, 2010, and are therefore not applicable to this project given the terms of the San Marco Development Agreement. Nevertheless, the guidelines provide a substantive framework specific to multi-family apartment projects for the subjective evaluation necessary as part of a design review application. As shown in Attachment 6, the proposed project is consistent with the applicable DRDG sections.

Required Findings: Design review approval for the project can be granted by the Planning Commission only after the Commission makes a determination that the proposed project is consistent with PMC section 18.36.220 (B), which is summarized below:

A. the structure conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

B. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;

C. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

D. the structure is in harmony with proposed developments on land in the general area; and

E. the application conforms with the criteria set forth in any applicable city-adopted design guidelines.

Environmental: The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project is in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. Furthermore, there are no substantial changes that have occurred with respect to the circumstances under which the SEIR was certified.

Public Notice: Although not required by the PMC, on or prior to April 14, 2017, notice of the April 25, 2017, public meeting to consider design review of the proposed project was posted at City Hall, the Pittsburg Library, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice.

ANALYSIS:

The proposed project is consistent with the development that was envisioned for Village M under the San Marco Development Agreement, Development Plan, and PD zoning district, and is therefore considered consistent with the applicable 1988 General Plan. The project does not exceed the maximum allowable density for the PD District (18

units per acre) and is consistent with the conditions of approval set forth in the ordinance establishing the original PD District.

Further, staff believes that the proposed project's combination of high-quality architecture, resident amenities, and location adjacent to Ray Giacommelli Park and within a mile of BART would make this a desirable location for prospective residents, and meet the need for higher-end rental housing. With the adoption of several conditions of approval, the project would also be consistent with the applicable adopted Development Review Design Guidelines. Key conditions include:

- Installation of two electric vehicle charging stations, as well as prewiring for an additional 10 stations;
- Provision of a minimum 100 square foot pervious area for residents to maintain a community garden;
- Installation of a bollard-style bicycle repair station;
- Installation of wall-mounted bicycle racks in all garages;
- Pitched, tile roofs, similar to those of the main residential buildings, on all carports visible from the right-of-way or park; and
- Pedestrian-scale lighting along pedestrian paths throughout the development.

With the inclusion of these conditions, staff believes that the Planning Commission can make the required findings to approve the proposed architectural and site development plans for the Esperanza Apartments at San Marco.

ACTION REQUIRED:

In order to approve the project as recommended, the Commission must move to adopt Resolution No. 10060 approving Design Review Application No.13-932, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10060
2. Project Plans, date stamped March 10, 2017
3. Existing Conditions and Surrounding Uses
4. Applicable General Plan Goals and Policies
5. Property Development Regulations
6. Development Review Design Guidelines
7. San Marco SEIR Summary of Impacts and Mitigation
8. Public Meeting Notice and Vicinity Map
9. Public Comment Letters (4), dated April 16, 2017, April 18, 2017, and April 20, 2017

Prepared by: Jordan Davis, AICP, Associate Planner

PROPOSED

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Design Review Approval of Architectural and Site Development Plans to Construct a 318-Unit Apartment Complex Along the Southern Side of West Leland Road, Immediately West of Tomales Bay Drive, for, "Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)."	)))))))	Resolution No. 10060

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

A. On June 10, 2013, Louis Parsons of Discovery Builders, Inc., filed Design Review Application No. 13-932, requesting design review approval of plans to construct a 318-unit apartment complex along the south side of West Leland Road, immediately west of Tomales Bay Drive. The project consists of 12 three-story buildings and site improvements on 13.3 acres in 'Village M' of the San Marco PD (Planned Development, Ordinance No.12-1362) District. Assessor's Parcel No. 097-550-018.

B. On April 3, 1990, the City Council adopted Ordinance No. 90-990, certifying a negative declaration and authorizing the execution of the Southwest Development Agreement (DA) for the development of 2,938 residential units on 639 acres in the southwest hills of Pittsburg. The DA established provisions under which the development would be built, including land use regulations, fees and assessments, and infrastructure.

C. On January 19, 1993, the City Council adopted Resolution No. 93-7888, certifying a subsequent environmental impact report (SEIR) for the 2,938-unit project currently known as the San Marco Development. On the same evening that the City Council certified the SEIR, it adopted Ordinance No. 93-1057 zoning the San Marco Development property to a residential PD (Planned Development) District, with a PD Plan consisting of 1,412 single-family residential units and 1,526 multifamily residential units.

D. On October 1, 2001, the Council adopted Ordinance No. 01-1187, extending the term of the DA from its original horizon year of 2002 to an amended horizon year of 2020.

E. On February 3, 2003, the first amendment to the PD plan was adopted as a City-initiated amendment to increase lot coverage allowances for single-family homes

in this and other PD Districts (Ordinance No. 03-1204).

F. On August 7, 2003, the second amendment to the PD plan was adopted as an applicant-initiated amendment to the San Marco Development park requirements in order to consolidate several mini-parks in the original development plan into two larger community parks, consistent with current (2001) General Plan policy in support of larger parks for more efficiency in maintenance (Ordinance No. 06-1270). This second amendment allowed single-family houses to be built on the former mini-park sites, provided that the number of multifamily units was decreased correspondingly (which resulted in an exchange of approximately 12 multifamily units for single-family units).

G. On October 15, 2012, the third amendment to the PD plan was adopted as an applicant-initiated amendment to facilitate a exchange of single family residential units between Village A and Village O (Ordinance No. 12-1362).

H. On April 15, 2013, the Council adopted Ordinance No. 13-1369, approving a second extension of the term of the DA from horizon year 2020 to a new horizon year of 2032.

I. The proposed project is governed by the policies and development standards in the 1988 Pittsburg General Plan, the most recently adopted PD plan (Ordinance 12-1362), and the Pittsburg Municipal Code (PMC) regulations and development policies that predate the San Marco Development Agreement, which took effect on July 1, 1993.

J. Development of this project site (Village M) as a multifamily residential project was envisioned in and is consistent with the most recent iteration of the PD plan, and the entire PD plan was determined to be consistent with the applicable General Plan (1988) at the time it was approved.

K. This project is exempt from the requirements of the City's Inclusionary Housing Ordinance (PMC, section 18.86), which was adopted in 2004, because the project is subject to the San Marco Development Agreement (City Council Ordinance No. 13-1369). Provisions of this agreement expressly prohibit application of rules, regulations and policies that come into effect after July 1, 1993.

L. The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project is in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. Furthermore, there are no substantial changes that have occurred with respect to the circumstances under which the SEIR was certified.

M. Although not required by the PMC, on or prior to April 14, 2017, notice of the April 25, 2017, public meeting to consider design review of the proposed project was posted at City Hall, the Pittsburg Library, near the proposed project site, and on the "Public Notices" section of the City's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice.

N. On April 25, 2017, the Planning Commission held a meeting on Design Review Application No. 13-932, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, "Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)," and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project is in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. Furthermore, there are no substantial changes that have occurred with respect to the circumstances under which the SEIR was certified.

3. The structures conform with good taste, good design and in general contribute to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the proposed project features 'Mediterranean' architecture characterized by Spanish tile hipped roofs, integrated towers and cupolas, plaster exterior finishes, arched windows and walkway entries, grid-patterned glass, decorative ironwork, and tile borders and accents. The proposed project will also provide direct access to the adjacent Ray Giacomelli Park, which offers residents additional recreational amenities.

4. The structures will be protected against exterior and interior noise, vibrations and other factors which may tend to make the environment less

desirable, in that mitigation measures for these factors have been evaluated in the SEIR prepared for the San Marco Development Plan. The mitigation measures to be implemented with the construction of the proposed project require the developer ensure interior spaces exposed to 60 dB exterior noise levels be provided with mechanical ventilation so that windows can be closed, provide sound rated glazing, or submit an acoustical study that recommends measures necessary to attain the acceptable noise level performance standards established in the City's current General Plan for multi-family development.

5. The exterior design and appearance of the structures are not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance. The proposed structures feature 'Mediterranean' architecture characterized by Spanish tile hipped roofs, integrated towers and cupolas, plaster exterior finishes, arched windows and walkway entries, grid-patterned glass, decorative ironwork, and tile borders and accents, which evoke the feeling of resort-style living.

6. The structures are in harmony with proposed developments on land in the general area, in that the proposed architecture and theme of the Esperanza Apartments at San Marco are complimentary to the overall architectural theme of other multifamily developments and the detached single family homes in the San Marco Development Plan area.

7. Although not required for this project (given the terms of the San Marco Development Agreement), the application will conform with the city adopted Development Review Design Guidelines (DRDGs), specifically sections I.a, VI.C.3, VI.C.5, VI.C.7, and VI.C.8, if conditions are added to require: 1) air conditioning units and other utilities be undergrounded or substantially screened from public view; 2) prewiring for solar panels is provided on all new carports; 3) the developer install two electric vehicle charging stations, as well as prewire for an additional 10 stations; 4) at least 16 bike parking spaces are provided for guests within outdoor racks, to be evenly distributed throughout the site; 5) permanent wall mounted bike storage systems are provided within each garage unit for residents; and 6) the project incorporates the most recent acceptable best management practices for water-efficient landscape design, consistent with PMC section 18.84.310.

B. The staff report entitled, "Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)," dated April 25, 2017, is referenced hereto as additional support for the findings.

Section 3. Decision

A. Based on the findings set forth above, the Planning Commission hereby

approves Design Review Application No. 13-932, subject to the following conditions:

1. The project shall be constructed in substantial conformity with the project plans date stamped March 10, 2017, except as hereinafter may be modified.

2. The site shall be kept clean and free of all litter, debris and refuse, and all landscaping on site shall be kept weed free and maintained in a healthy condition.

3. The walls and ceilings for all breezeways shall be painted Body Color 1, Kelly Moore 'Toasted Oatmeal' (KM4527-1).

4. Lighting shall be installed within all breezeways and shall be on sensors to ensure that adequate lighting is provided during all hours of the day.

5. Lighting installed along the outside of the clubhouse and garages shall be decorative wrought iron accent sconces similar to those proposed along the residential building elevations. Final design of the sconces shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.

6. A minimum 100 square foot pervious area shall be made available on the site as a location for residents to maintain a community garden. The developer shall place a sign at the garden site indicating the availability of the space for a garden. The developer shall also provide an outdoor faucet at the site for irrigation as needed.

7. Prior to issuance of a certificate of occupancy for each building, the developer shall install minimum six-inch high block style numbers at two points on each building façade for purposes of address identification. The numbers shall be in a color that is contrasting to the background surface to which they are adhered and shall be readily visible from the closest parking lot aisle.

8. A minimum of 16 bicycle parking spaces shall be provided for residents and/or guests. Bicycle parking facilities shall be divided into a minimum of two separate areas. The bicycle rack(s) may be covered by a shelter. The design, color and proposed location of the racks shall be reviewed and approved by the Planning and Engineering Divisions prior to issuance of a building permit.

9. The developer shall install a minimum of one bollard-style self-service bicycle repair station adjacent to one of the required bicycle parking facilities to allow residents to perform basic repairs and maintenance. The

final location and design of the bicycle repair station shall be subject to review and approval by the Planning Division prior to installation.

10. One permanent wall mounted bike storage system shall be provided inside of each garage unit for use by residents.

11. The following proposed carports shall be designed with a pitched roof and finished with roofing materials similar to those used on the main dwelling units:

    a. The westernmost carports adjacent to the future park between proposed buildings 1 and 8;

    b. The carports adjacent to West Leland Road between proposed buildings 2 and 3.

12. The developer shall install a minimum of two (2) electric vehicle charging stations, and prewiring for an additional 10 electric vehicle charging stations.

13. Carport roofs shall be equipped with prewiring for solar collector or photovoltaic panels.

14. Building roofs shall be equipped with prewiring for solar collector or photovoltaic panels.

15. All pedestrian pathways throughout the site shall include pedestrian scale lighting fixtures less than 12 feet in height, or low-level pathway lights. Final pathway lighting design and placement shall be subject to review and approval by the Planning Division prior to installation.

16. A lockable access gate shall be installed southwest of Building 6, as shown in the approved project plans.

17. All utility equipment, including utility boxes, transformers, meters, and junction boxes shall be undergrounded whenever possible (see Condition No. 63, below). All air conditioning units (in private and common areas) and utility equipment which cannot be undergrounded shall be substantially screened from view by way of a permanent screen or appropriately sized plant material (City of Pittsburg DRDG II.h and III.a). The final method and design of the screening shall be reviewed and approved by the Planning and Engineering Divisions prior to issuance of an engineering or building permit.

18. The developer shall provide a lighting and photometric plan showing the location, type, and design of all outdoor lighting including but not limited to

exterior building lighting (fixed and freestanding), lights for pedestrian and/or automobile circulation, security, landscaping, and building accents.

19. Prior to issuance of a building permit, the developer shall submit a detailed landscaping and irrigation plan and other documentation as required by the state model water efficient landscaping ordinance or other local water efficient landscaping ordinance in effect at the time the developer applies for a building permit. Prior to issuance of a certificate of occupancy, the developer shall complete and submit all certifications confirming that the landscaping and irrigation were installed in compliance with the approved detailed landscaping and irrigation plan, as required pursuant to the applicable ordinance in effect at the time the developer applies for a building permit.

20. The project shall incorporate the most recent acceptable best management practices for water-efficient landscape design, consistent with PMC section 18.84.310.

21. Trash enclosures and compactors shall incorporate architectural details and a matching tile and hipped roof, instead of a metal roof as indicated on Sheet A8 of the project plans.

22. All trash enclosures shall be sized in order to meet the requirements of Assembly Bill (AB) 341. Final design shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.

23. The 12-foot long rear wall of the trash enclosure shall be extended four (4) feet in order to screen views into the trash area.

24. All trash enclosures and trash compactors shall be stucco-finished and painted to match the main apartment buildings and/or garages on site. Final design shall be subject to review and approval by the Planning Division prior to the issuance of a building permit.

25. Trash enclosures shall be constructed with a low berm at their entrances or its interior floor shall be sloped slightly so as to prohibit waste liquids from discharging out of the enclosure and entering a storm drain. Storm drains shall not be located within the drainage area of the enclosure.

26. The developer shall label all onsite storm drains with "No Dumping Drains to River" stencils or other medium and similar message approved by the Planning Division.

Applicable Mitigation Measures:

27. The project shall be designed to comply with the mitigation measures and performance standards specified in the San Marco Subsequent Environmental Impact Report (SEIR; SCH #91073029), for the San Marco Development Plan Area. Where there is conflict between the mitigation measures and performance standards specified in the SEIR and the specific conditions of approval specified in this resolution, the SEIR shall govern. These mitigation measures include but are not limited to the following:

a. Noise:

i. Interior spaces exposed to 60 dB or greater exterior noise levels shall be provided with mechanical ventilation so that windows can be closed. In some cases, sound rated glazing may be required.

ii. To reduce identified impacts, project construction shall be limited to weekdays between 8:00 a.m. and 5:00 p.m. All equipment used in the project shall be muffled and maintained.

These measures shall be reflected on building and site development plans and shall be subject to review and approval by the Planning Division prior to issuance of a site development permit or building permit. Alternatively, the developer may comply with this condition of approval by submitting an acoustical study conducted by a professional acoustical engineer that evaluates the existing noise levels on the site and recommends measures necessary to attain the acceptable noise level performance standards established in the City's current General Plan for multi-family development. If an acoustical study is prepared, it shall be submitted to the Planning Division for review and approval prior to issuance of a grading permit. If applicable, any new recommended mitigation measures identified in the acoustic study shall be implemented in the building plans and site development plans for the project and shall be subject to review and approval of the Planning Division prior to issuance of a site development permit or building permit.

b. Transportation:

i. The applicant shall provide all residents, upon request, information on available public transit opportunities.

ii. The project shall be required to pay the Local Traffic Mitigation Fee to offset City-wide traffic impacts (see Condition No. 34).

iii. The project shall be required to pay the Regional Traffic Mitigation Fee to offset City-wide traffic impacts (see Condition No. 35).

iv. To mitigate onsite intersection impacts, signalize the Village M access drive (see Condition No. 42).

c. Soils and Geology:

i. Grading/foundation designs shall be prepared for each lot based on a standard soils test performed by a qualified geotechnical professional on each lot after mass grading has been completed, and an associated report recommending appropriate lot-specific foundation design, soil preparation, and selective grading measures.

A drainage plan shall be prepared by a registered civil engineer for each lot in compliance with the provisions listed in SEIR section IV.D.3.b(1) to avoid impacts of expansive earth materials due to improper surface drainage.

ii. A project erosion control plan shall be prepared and implemented by the project civil engineer and a qualified geotechnical professional. The plan shall include construction of "V"-lined ditches on all graded slopes, shall designate all drainageways as public storm easements, shall incorporate ABAG-recommended erosion control measures, and should incorporate best management construction practices.

iii. To mitigate the potential effects of differential settlement: 1) all fill shall be placed so as to minimize settlement; 2) subsurface drains shall be placed under all fills; 3) a fill settlement monitoring program shall be implemented.

iv. Seismic-related hazards may be offset through construction of project buildings and foundations, underground utilities, and other improvements in compliance with all public agency requirements.

v. Groundwater-related geotechnical hazards shall be offset by construction of a subsurface drainage system in all fill areas (especially all springs and streams to be covered), construction of trench drains across all onsite valleys in which fill is proposed to extend offsite, subdrainage measures as needed at utility trenches, design of a surface drainage system which will not create adverse impacts on the groundwater regime, and education of maintenance staff regarding the hazards of over-irrigation of landscape areas.

vi. Onsite grading shall be balanced to the extent possible to reduce or eliminate necessary offsite hauling of dirt.

d. Drainage and Water Quality:

   i. Prior to construction, a hydrology report describing the project drainage system design details must be submitted to all affected agencies. The report must present a complete hydraulic analysis of discharge from the project beneath Highway 4, and the capacity of the proposed retention basins.

   ii. The project grading plan shall include an approved drainage and erosion control plan and an associated ongoing inspection program, as described in SEIR sections IV.D.3 (Soils and Geology) and IV.E.3.b (Drainage and Water Quality).

e. Air Quality:

   i. Construction period air quality impacts should be reduced through implementation of the construction practices described in SEIR section IV.J.3(a), including:

      - Suspending earth-moving or other dust-producing activities during periods of high winds when dust control measures are unable to avoid visible dust plumes;
      - Providing equipment and staffing for watering of all exposed or disturbed soil surfaces sufficient to suppress dust plumes including weekends and holidays. An appropriate dust palliative or suppressant added to water before application should also be utilized;
      - Watering or covering stockpiles of debris, soil, sand, or other materials that can be blown by the wind;
      - Sweeping construction area and adjacent streets of all mud and debris since this material can be pulverized and later resuspended by vehicle traffic;
      - limit the speed of all construction vehicles to 15 miles per hour while on site
      - all materials transported by truck should be covered or wetted down as needed to suppress visible dust; and
      - all excavated inactive portions of the site should be watered with an appropriate dust suppressant covered or seeded.

f. Municipal Services:

   i. The developer shall submit school impact fees prior to issuance of an engineering or building permit.

g. Cultural Resources:

i. An archeologist familiar with the history of the site shall be present to monitor site clearing and grading to identify and remove and significant artifacts in this area and 19th century artifacts discovered in this process. All known and discovered historic resources shall be catalogued and described in a summary archaeological report which will constitute preservation of the site's cultural resources in written form.

Engineering Fees:

Improvement and Grading Plan Review fees:

28. The developer shall pay one half of the Engineering Grading and/or Improvement Plan Review Fee with the initial submittal of plans, maps, or other documents for plan review. The Plan Check Fees are based upon the Engineer's Estimate, which shall also be provided at the time the plans are submitted. The Improvement Plan Check fees are 3.5% of the cost of the improvements based upon the approved Engineer's Estimate. The Grading Plan Check Fee is 2.5% of the Engineer's Estimate, or may be based upon cubic yards of grading. The deposit(s) shall be credited toward the final fee(s) as determined at engineering permit issuance based upon the final, approved Engineer's Estimate. The deposit shall be paid to the Engineering Division.

Improvement and Grading Inspection Fees:

29. The developer shall pay the Improvement and/or Grading Inspection Fee(s) to the Engineering Division at the time of the Grading or Single Parcel Development Permit is issued. The current Improvement Inspection Fee is 5% of the cost of grading, and the Grading Inspection Fee is 3% of the cost of Grading. The Grading Inspection Fee may also be based upon an approved Engineer's Estimate of total cubic yards, according to the current schedule of Grading Fee Charges.

LIS Update Fees:

30. The developer shall pay $100 per unit to the Engineering Division at the time of the issuance of the Site Development Permit to update the City Land Information System.

NPDES:

31. The developer shall pay an NPDES Plan Review (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the developer obtains a Grading permit. The developer understands that the current NPDES plan review fee on file, effective September 1, 2010,

shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

32. The developer shall pay an NPDES Inspection Deposit (SWPPP and/or C.3 Storm Water Control Plan) fee to the Engineering Division in the amounts in effect when the developer obtains a Grading permit. The developer understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

Facility Reserve Charge:

33. The developer shall pay the City of Pittsburg Facilities Reserve Charge (FRC) (PMC Chapters 13.08, 13.12 and 13.24) to the Engineering Division for water and sewer service in the amounts in effect when the developer obtains a Building Permit. The developer understands that the current FRC on file, effective August 20, 2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10291, and amended by Resolutions No. 05-10372 and No. 12-11778, on February 21, 2012, copies of which are available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a Building Permit.

Traffic Mitigation Fees:

34. The developer shall fulfill their Local Transportation Mitigation Fee ("LTMF") requirements in accordance with the Memorandum of Understanding for payment of Local Transportation Mitigation Fees dated December 22, 1992, as amended and approved by City Council with the adoption of Resolution 93-7890. The developer understands that the LTMF currently on file is $4,860 per multifamily dwelling unit. The developer further understands that the LTMF is reviewed and adjusted annually to the current Construction Cost Index (CCI) and may be increased at the City Council's discretion based on revised cost estimates for roadway and transit facilities and other factors that demonstrate an increase is needed to offset traffic impacts caused by new development. The LTMF is calculated by dividing the total fee share of improvement costs by the total number of Dwelling Unit Equivalencies ("DUE") in the City, as described in PMC Chapter 15.90 and the Pittsburg Local Transportation Mitigation Fee Program Update, copies of which are available from the City. Fees shall be paid prior to issuance of a building permit by the City's Building Division.

35. The developer shall pay the Regional Transportation Mitigation Fee ("RTMF") to the Engineering Division prior to the issuance of a building permit. The Developer shall fully comply with the Memorandum of Understanding dated June 29, 2010, as amended and approved by City

Council Resolution 13-11963, including payment of the fees referenced therein.

Parkland Dedication:

36. The developer shall fulfill their Parkland Dedication requirements in accordance with the 3rd Amendment to the San Marco Development Agreement.

Engineering Submittals:

37. The developer shall submit to the City's Engineering Division, for review and comment, five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:

    a. A Site Plan
    b. A Grading and Drainage Plan
    c. A Utilities Plan
    d. A Landscaping and Irrigation Plan
    e. A Stormwater Control Plan and Report
    f. An Erosion and Sedimentation Control Plan
    g. A Joint Trench Plan

38. The developer shall submit to the Engineering Division a current geotechnical report that substantiates the design features incorporated into this project, including but not limited to grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and issuance of any Engineering permits.

39. The developer shall submit an Engineer's Estimate to the Engineering Division for review and approval with the first plan submittal. This estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the building structure itself.

General Engineering Conditions

40. All grading work shall be done in accordance with the provisions of Chapter 15.88 of the Pittsburg Municipal Code.

41. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) of the Pittsburg Municipal Code as determined by the City Engineer. Issuance of a Site Development Permit shall be required, whereby specific engineering requirements will be made as conditions of approval.

42. The developer shall design and construct a traffic signal and median modifications on West Leland at the project entrance. The design of the traffic signal and median modifications, including installation of crosswalks as appropriate, shall be subject to approval by the City Engineer.

43. The developer shall provide the City with a Public Utility Easement (PUE) along West Leland Road for access to the water meter and backflow device. Services for water and sewer shall terminate behind the sidewalk at meters and lower laterals, within the PUE.

44. The developer shall provide the City with a sanitary sewer manhole structure within the utility easement to be dedicated to the City along West Leland Road.

45. The developer shall provide the City with an easement for access and maintenance of the 36" storm drain system that conveys the stormwater from the south eastern portion of the site to the northeastern portion of the property.

46. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.

47. The developer shall provide a minimum 6-foot wide sidewalk along West Leland Road, spanning the length of the property limits along West Leland Road and connecting to existing sidewalks on either side of the property.

48. The developer shall ensure all stormwater runoff is retained within the project boundaries.

General NPDES Conditions:

49. Prior to issuance of a Grading Permit, the developer shall submit to the Engineering Division for review an Erosion and Sedimentation Control Plan and a copy of the Notice of Intent (NOI), which was submitted to the State Water Resources Control Board. The erosion control/SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The SWPPP measures shall also include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with the regulations outlined in the ABAG Erosion and Sediment Control Handbook.

50. The developer shall incorporate long-term BMPs for the reduction or elimination of storm water pollutants. The project design shall incorporate, wherever feasible, the following long term BMPs to limit pollutant generation, discharge, and runoff. Such source control design measures may include:

a. incorporating landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices;
b. providing covered trash, food waste, and compactor enclosures;
c. use of pavers for walkways and other appropriate hardscape surfaces to minimize impervious areas;
d. minimizing the amount of directly connected impervious surface area;
e. constructing concrete driveway weakened plane joins at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter; and
f. plumbing of the following discharges to the sanitary sewer, subject to Delta Diablo Sanitation District's authority and standards:
    i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurant.
    ii. Dumpster drips from covered trash and food compactor enclosures.
    iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
    iv. Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.

51. Grading and/or building permit plans (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design featured, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants.

52. The developer shall evaluate the existing, receiving storm, sewer, and water facilities for adequate capacity and provide the results to the City to identify any service or supply problems. The cost for installation of additional facilities shall be borne by the developer.

53. The design and construction of storm drain, water, and sewer facilities shall be in accordance with Section 17.28.020 of the Pittsburg municipal Code.

54. The developer shall provide appropriate water service, adequately sized to meet the domestic and fire protection demands for the project.

55. The developer shall provide appropriate sanitary sewer, adequately sized to accommodate the project's wastewater demand.

56. In accordance with PMC12.36.130, the developer shall ensure that all utility

service laterals and equipment (including, but not limited to, electric, communication and cable television lines) installed in and for the purpose of supplying service to any other new construction or use shall be installed underground on the property to be served, and from the property to be served to the point of connection with the utility's distribution facilities, in accordance with utility filed rules as approved by the California Public Utilities Commission or as approved by the City Engineer.

Landscaping located within the Public Right of Way:

57. The developer shall provide a Central Irrigation System that is compatible with Rainmaster DX 2 Evolution, with a remote control included with the package. The installation of this system shall be certified by a John Deere Landscapes United Greentech representative prior to the City's acceptance of the installation.

58. The developer shall design the landscaping within the areas of public right of way in accordance with the provisions of Section 18.84.320 of the Pittsburg Municipal Code, and current standard details dated May 2007.

Additional Engineering Exactions:

59. The developer may elect to annex into Community Facilities District (CFD) 2017-1 for Fire Safety Services once the district has been established. If the developer elects to annex into CFD 2017-1, the developer shall deliver written approval, in a manner acceptable to the Community Development Director, stating that the owner of the parcel is electing to annex the subject property into CFD 2017-1.

Standard Conditions:

60. 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.

61. 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. 10060 shall govern.

62. Developer 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 developer's sole cost and expense. Developer may select its own legal counsel to represent developer's interests at developer's sole cost and expense. Developer 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.

63. This design review approval will expire on April 25, 2020, unless a building permit or grading permit has been issued for purposes of construction of this project, or a written request for an extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of permit issuance, unless work is commences and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 25th day of April, 2017, 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. 10060 was adopted by the Planning Commission of the City of Pittsburg on April 25, 2017.

_____
KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

RECEIVED
MARCH 10, 2017
PLANNING DIVISION

ESPERANZA AT SAN MARCO

PITTSBURG, CA

BY

DISCOVERY BUILDERS INC.





LOCATION MAP
NO SCALE

PROJECT TEAM

OWNER: **DISCOVERY BUILDERS INC.**
4061 Port Chicago Highway, Suite H
Concord, CA 94520
T 925.682.6419
CONTACT: Kevin English
EMAIL: kenglish@discoverybuilders.com

ARCHITECT: **LCA ARCHITECTS, INC.**
590 Ygnacio Valley Road, Suite 310
Walnut Creek, CA 94596
T 925.944.1626
CONTACT: PETER STACKPOLE
EMAIL: pstackpole@lca-architects.com

CIVIL ENGINEER: **ISAKSON & ASSOCIATES INC.**
2255 Ygnacio Valley Road
Walnut Creek, CA 94598
T 925.937.9333
CONTACT: Dave Isakson
EMAIL: admin@isaksonandassocistes.com

LANDSCAPE: **THOMAS BAAK & ASSOCIATES, LLP**
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
T 925.933.2583
CONTACT: Rick Stover
EMAIL: rstover@tbaak.com

SHEET INDEX

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A1 CONCEPTUAL SITE PLAN, PROJECT DATA
A2 CLUBHOUSE ELEVATIONS
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A3.2 BUILDING ELEVATIONS - BUILDING A
A3.3 BUILDING ELEVATIONS - BUILDING B
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A3.5 BUILDING ELEVATIONS - GARAGE
A4 ELEVATION DESIGN ELEMENTS AND BUILDING SECTION
A5 CLUBHOUSE FLOOR AND ROOF PLANS
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L2 LANDSCAPE ENLARGEMENT PLANS

LCA ARCHITECTS

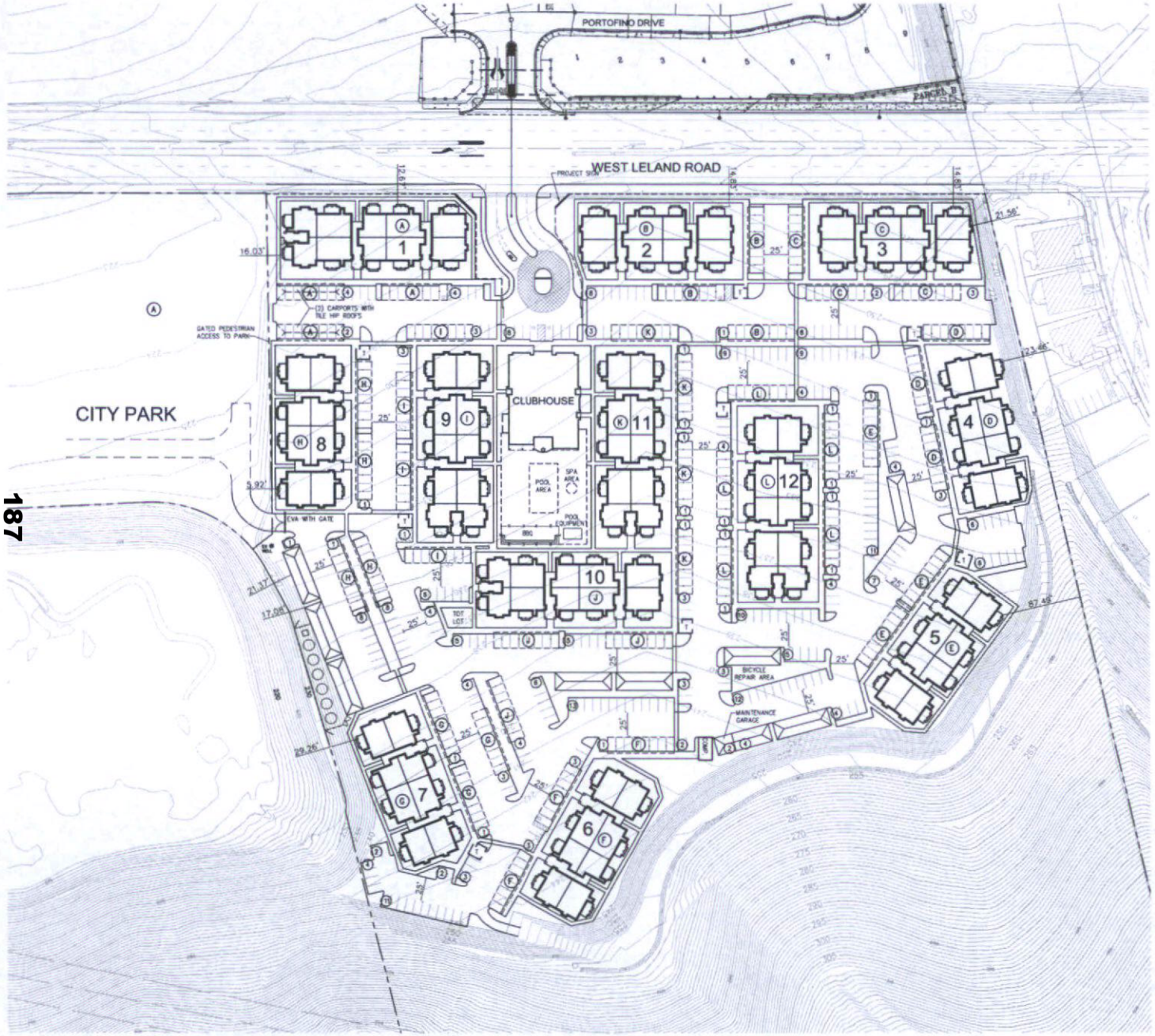
Esperanza at San Marco
PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

LCA ARCHITECTS

COVER SHEET

SCALE: NO SCALE
DATE: 2 / 27 / 2017
REVISIONS:

PROJECT NO. 13012
A0
SHEET OF



OWNER SAN MARCO PROPERTIES, LLC

PROJECT DATA

GROSS SITE AREA –	22.3 ACRES
NET SITE AREA –	13.3 ACRES
TOTAL UNITS –	318 UNITS
GROSS DENSITY –	14.3 DU/AC
NET DENSITY –	23.9 DU/AC

	NUMBER OF BUILDINGS		NUMBER OF UNITS/BLDG	
TYPE A –	7	x	24	= 168 UNITS
TYPE B –	5	x	30	= 150 UNITS
TOTAL –				318 UNITS

1 BR UNITS –	102 (32.0%)
2 BR UNITS –	216 (68.0%)

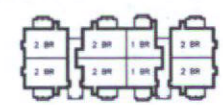
PARKING COUNT:

CARPORT PARKING (39 CARPORTS) –	312 SPACES
GARAGE PARKING (8 GARAGES) –	48 SPACES
GARAGE PARKING (1 GARAGE) –	4 SPACES
UNCOVERED PARKING –	271 SPACES
TOTAL PARKING AVAILABLE –	636 SPACES
PARKING SPACES PER UNIT –	2.00 SPACES/UNIT

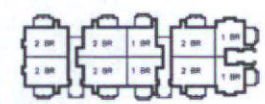
ACCESSIBLE PARKING SPACES

1. COVERED UNITS
   (GROUND FLOOR) = 106 UNITS
2. REQUIRED PARKING SPACES
   106 X 2 = 212 SPACES
   212 X .02 = 4.2 OR 5 SPACES
3. GUEST ACCESSIBLE PARKING SPACES
   TOTAL GUEST SPACES = UP TO 40 SPACES
   40 X .05 = 2 SPACES
4. TOTAL REQUIRED ACCESSIBLE SPACES = 7 SPACES
5. TOTAL PROVIDED TYPE & NUMBER OF ACCESSIBLE SPACES
   1 – GARAGE SPACE
   3 – CARPORT SPACE
   3 – OPEN SPACES
   7 – TOTAL SPACES

BUILDING TYPES



TYPE A - SAN MARCO BLDG #3 - 24 UNITS



TYPE B - ESPERANZA BLDG #1 - 30 UNITS

CONCEPTUAL SITE PLAN

50' 0' 50' 100'
SCALE: 1" = 50'
NORTH

LCA ARCHITECTS

Esperanza at San Marco

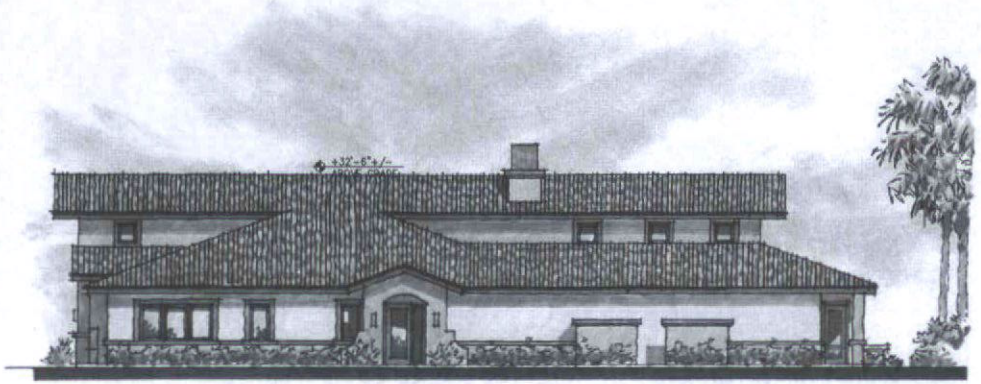
PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

LCA ARCHITECTS

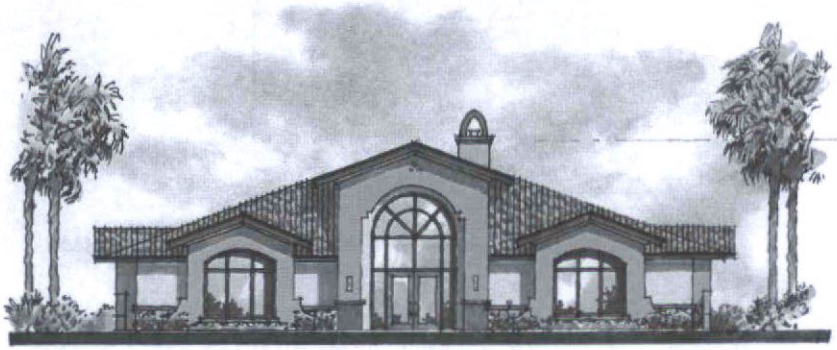
CONCEPTUAL SITE PLAN, PROJECT DATA

SCALE: AS SHOWN
DATE: 2/27/2017
REVISIONS:

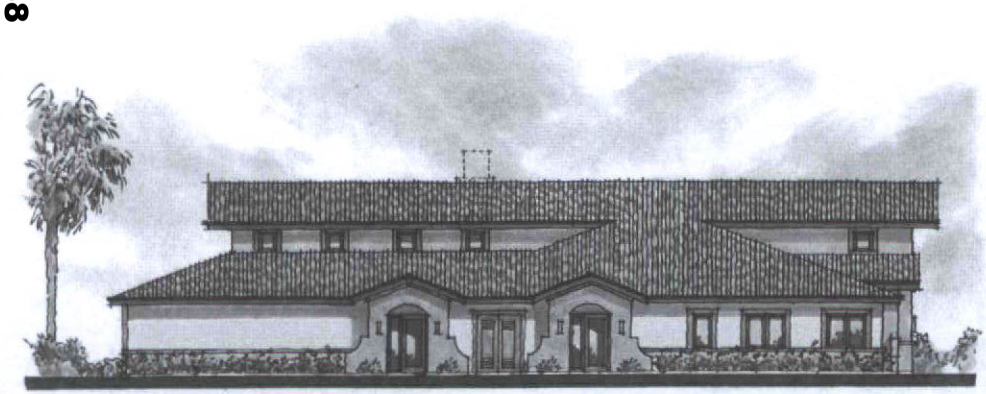
PROJECT NO. 13012
A1
SHEET OF



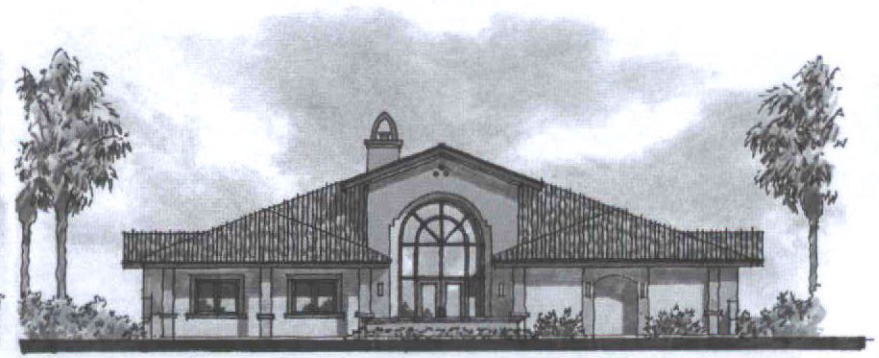
CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL CLUBHOUSE ELEVATIONS

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

8' 0' 8' 16'

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Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

CLUBHOUSE ELEVATIONS

SCALE: AS SHOWN

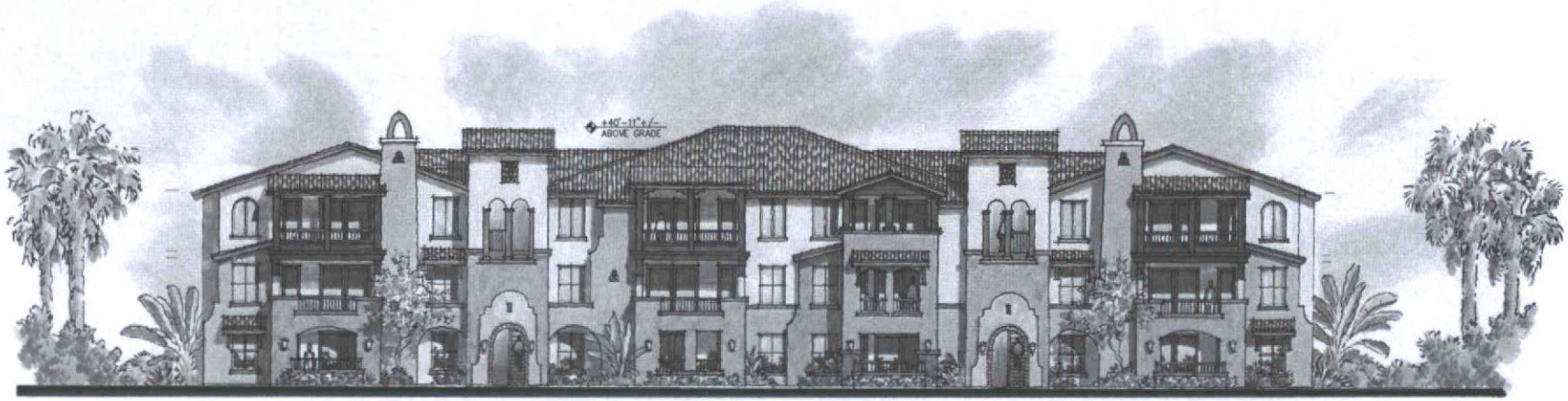
DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

A2

SHEET OF



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL BUILDING 'A' ELEVATIONS

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

8' 0' 8' 16'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

BUILDING A ELEVATIONS

SCALE: AS SHOWN

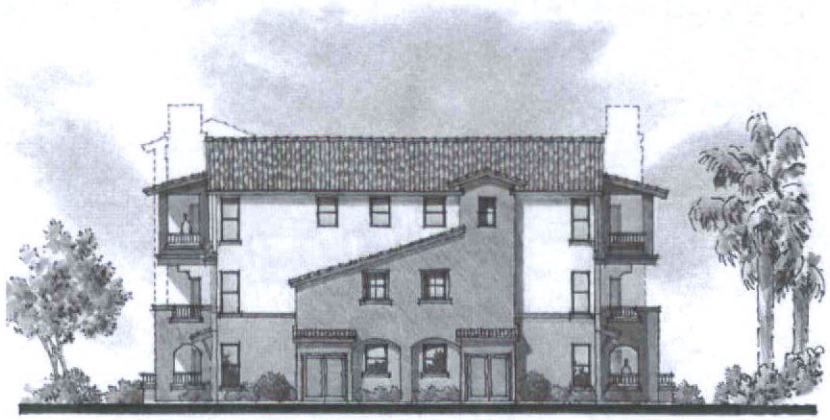
DATE: 2 / 27 / 2017

REVISIONS:

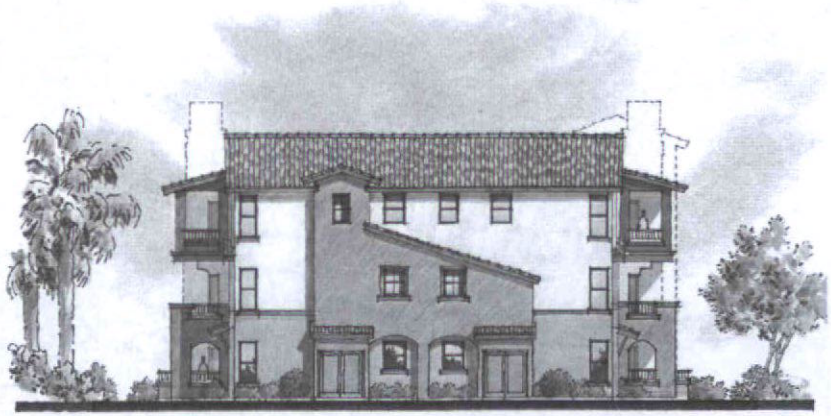
PROJECT NO. 13012

A3.1

SHEET OF



CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION

CONCEPTUAL BUILDING 'A' ELEVATIONS

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

8' 0' 8' 16'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

BUILDING A ELEVATIONS

SCALE: AS SHOWN

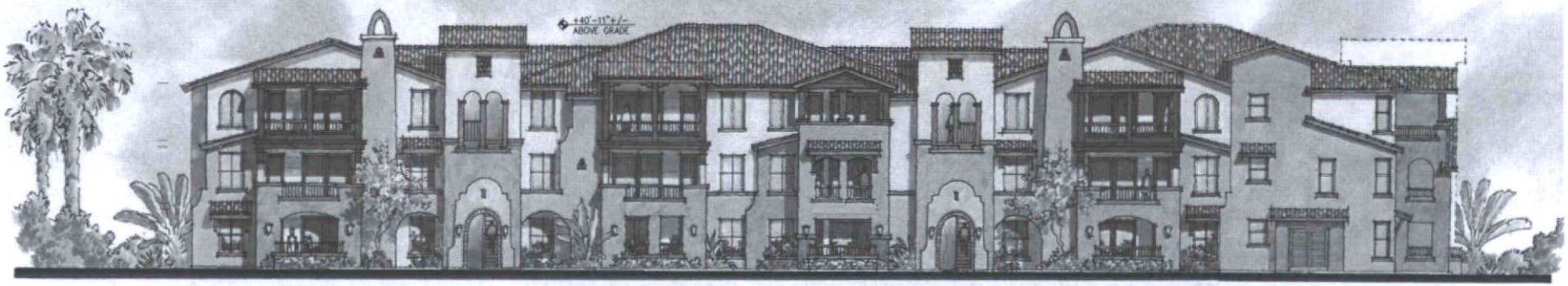
DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

A3.2

SHEET OF



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL BUILDING 'B' ELEVATIONS

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

8' 0' 8' 16'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

BUILDING B ELEVATIONS

SCALE: AS SHOWN

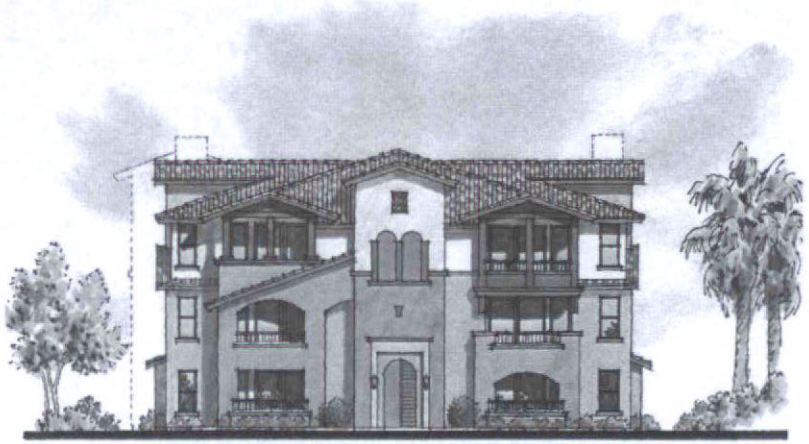
DATE: 2 / 27 / 2017

REVISIONS:

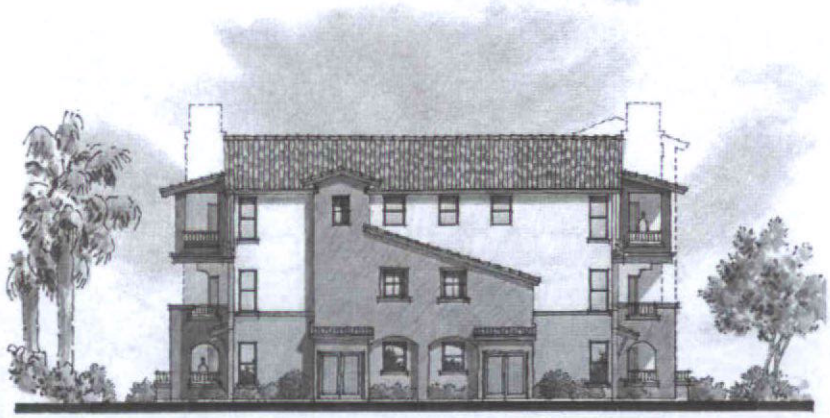
PROJECT NO. 1301.2

A3.3

SHEET OF



CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION

CONCEPTUAL BUILDING 'B' ELEVATIONS

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

8' 0' 8' 16'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

BUILDING B ELEVATIONS

SCALE: AS SHOWN

DATE: 2 / 27 / 2017

REVISIONS:

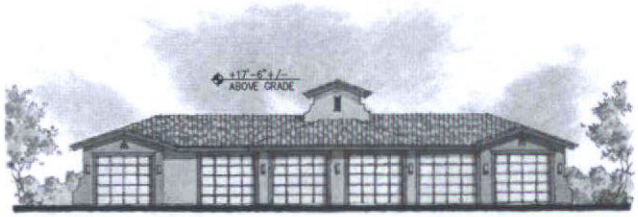
PROJECT NO. 13012

A3.4

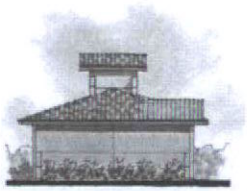
SHEET OF



CONCEPTUAL RIGHT SIDE ELEVATION



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL LEFT SIDE ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL GARAGE BLDG. ELEVATIONS

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

8' 0' 8' 16'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

GARAGE BLDG. ELEVATIONS

SCALE: AS SHOWN

DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

A3.5

SHEET OF

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

ELEVATION
DESIGN ELEMENTS
& SECTION

SCALE: AS SHOWN
DATE: 2 / 27 / 2017

REVISIONS:

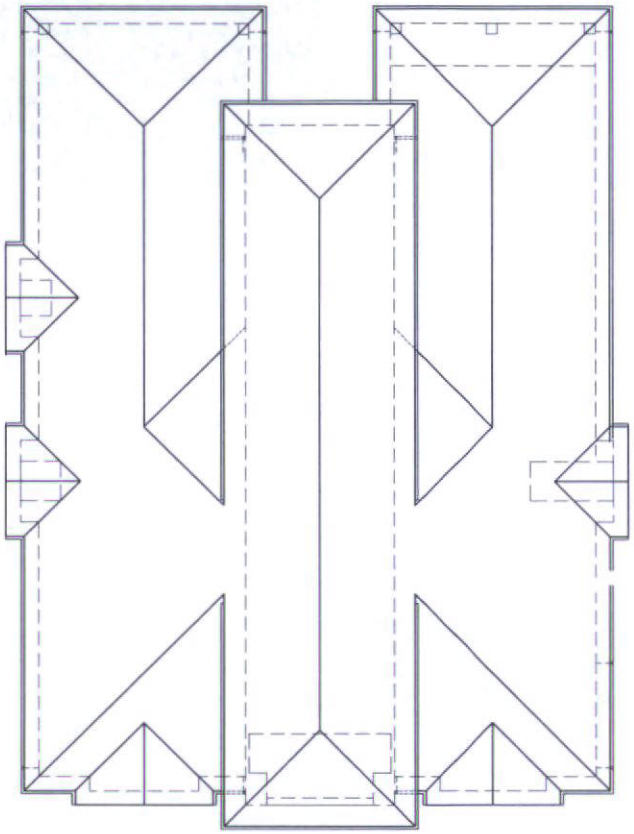
PROJECT NO: 1302

A4

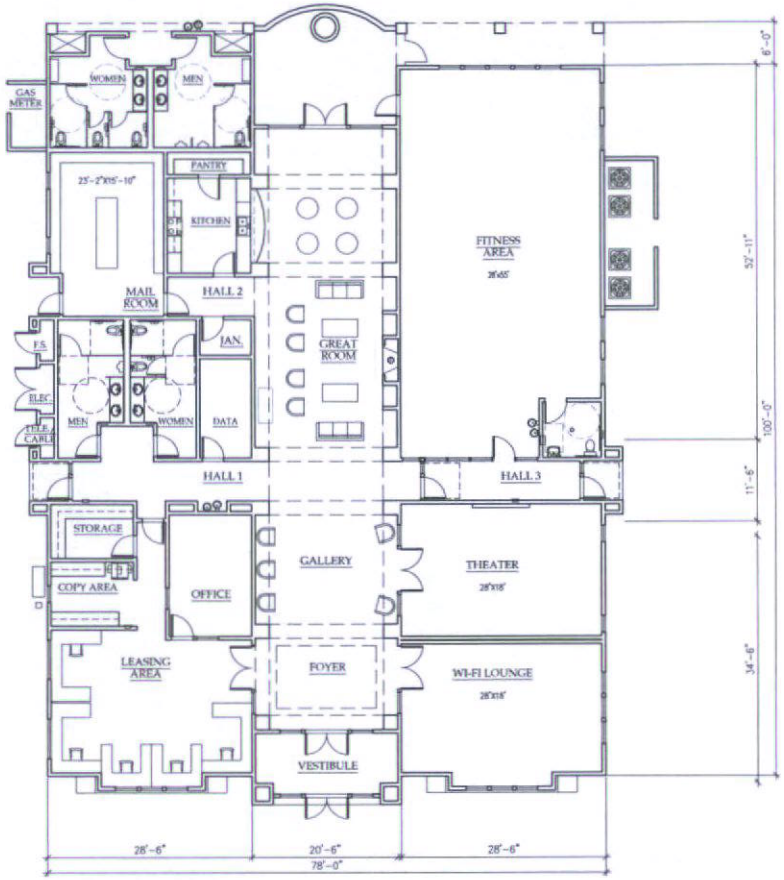
SHEET OF

CONCEPTUAL ELEVATION
DESIGN ELEMENTS & SECTION

SCALE: 1/4" = 1'-0"



ROOF PLAN



FLOOR PLAN 7,873 S.F.

CLUBHOUSE

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

0' 8' 16' 32'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

CLUBHOUSE PLAN & ROOF PLAN

SCALE: AS SHOWN

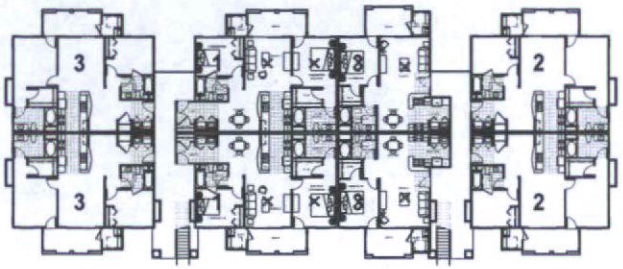
DATE: 2 / 27 / 2017

REVISIONS:

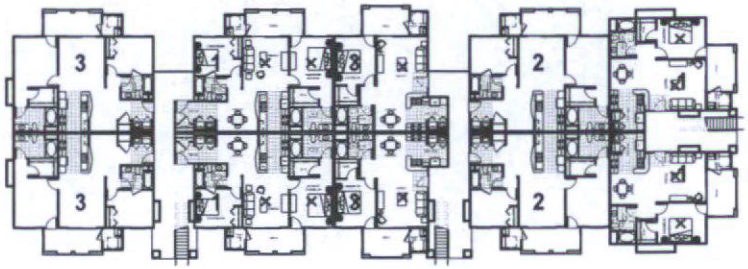
PROJECT NO. 13012

A5

SHEET OF



BUILDING A

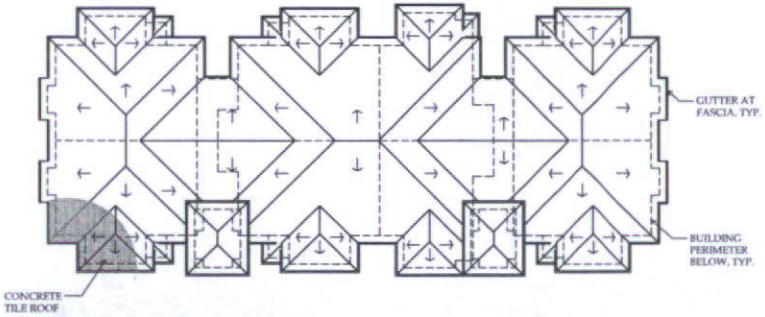


BUILDING B

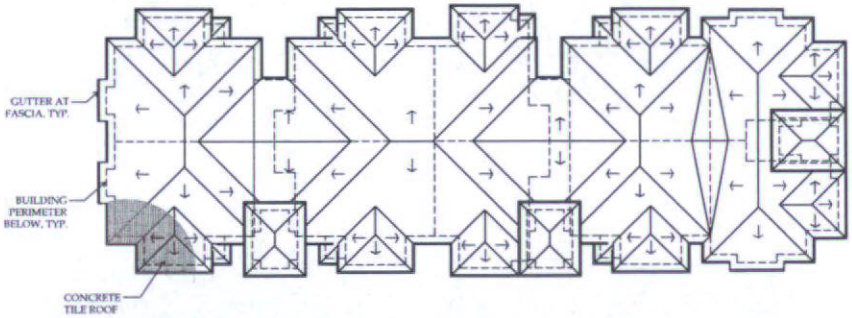
CONCEPTUAL MASSING PLANS

SCALE: 1/16" = 1'-0"

16' 0' 16' 32'



BUILDING A



BUILDING B

CONCEPTUAL ROOF PLANS

SCALE: 1/16" = 1'-0"

16' 0' 16' 32'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

MASSING PLANS AND ROOF PLANS BUILDINGS A & B

SCALE: AS SHOWN

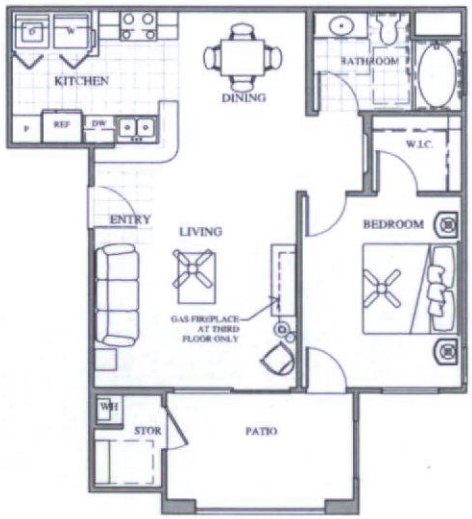
DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

A6

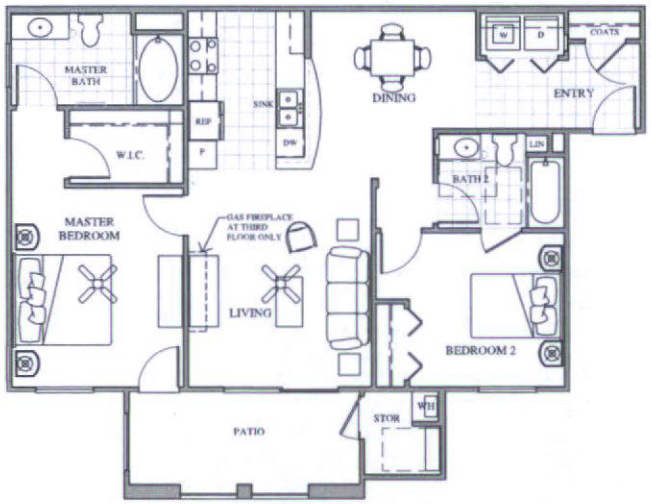
SHEET OF



UNIT 1

1 BR / 1 BATH

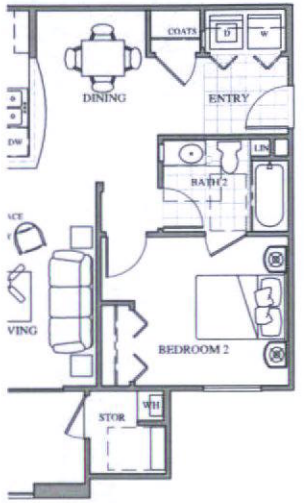
UNIT AREA = 772 SF
PRIVATE STORAGE = 37 SF
DECK (PRIVATE OS) = 98 SF



UNIT 2

2 BR / 2 BATH

UNIT AREA = 1,117 SF
PRIVATE STORAGE = 37 SF
DECK (PRIVATE OS) = 105 SF



UNIT 3

2 BR / 2 BATH
SIMILAR TO UNIT 2 WITH ALTERNATIVE ENTRY LAYOUT

UNIT AREA = 1,067 SF
PRIVATE STORAGE = 37 SF
DECK (PRIVATE OS) = 105 SF

CONCEPTUAL UNIT PLANS

SCALE: 1/4" = 1'-0"

4' 0' 4' 8'

LCA ARCHITECTS
CARL B. CAMPOS | DAVID BOSSETAD | PETER STACKPOLE
1211 SAN PABLO AVENUE, SUITE A, PINOLE, CA 94564
(510) 964-1430 | (510) 964-1689 FAX | WWW.LCA-ARCHITECTS.COM

Esperanza at San Marco

PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

LCA ARCHITECTS

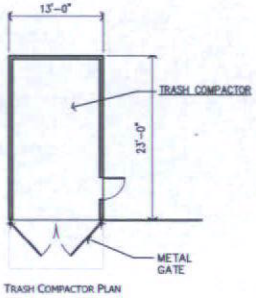
UNIT
FLOOR PLANS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017
REVISIONS:

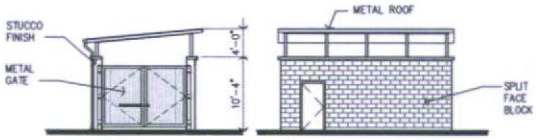
PROJECT NO. 13012

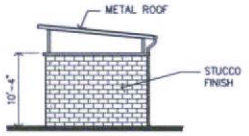
A7

SHEET OF



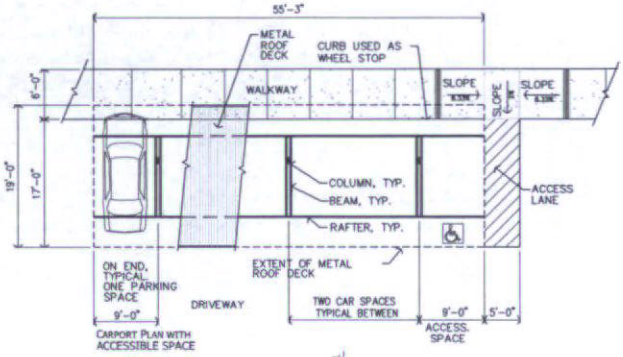
TRASH COMPACTOR PLAN



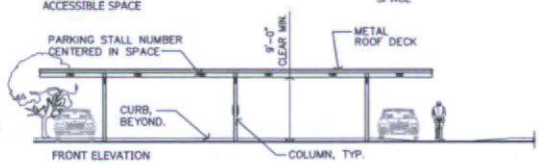


TRASH COMPACTOR PLAN & ELEVATION

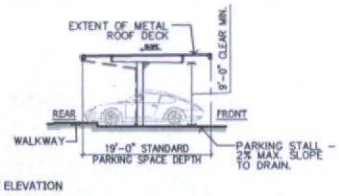
SCALE: 1/8"=1'-0"



CARPORT PLAN WITH ACCESSIBLE SPACE



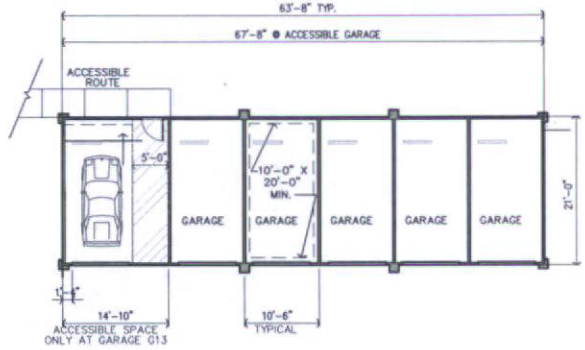
FRONT ELEVATION



SIDE ELEVATION

CARPORT PLAN & ELEVATION

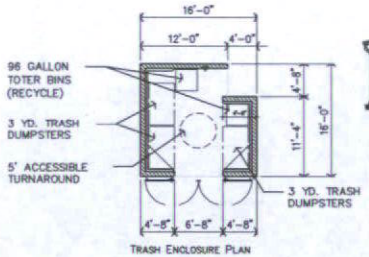
SCALE: 1/8"=1'-0"



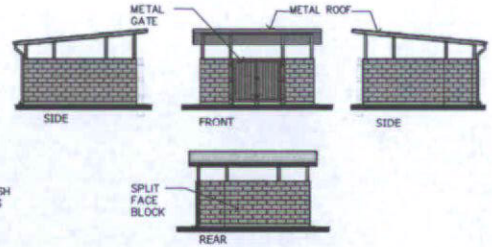
GARAGE PLAN

GARAGE PLAN

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



TRASH ENCLOSURE PLAN



TRASH ENCLOSURE PLAN & ELEVATION

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

CONCEPTUAL ACCESSORY BUILDINGS

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

8' 0' 8' 16'

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA

A.P.N. 097-550-018

LCA ARCHITECTS

ACCESSORY BUILDINGS

SCALE: AS SHOWN

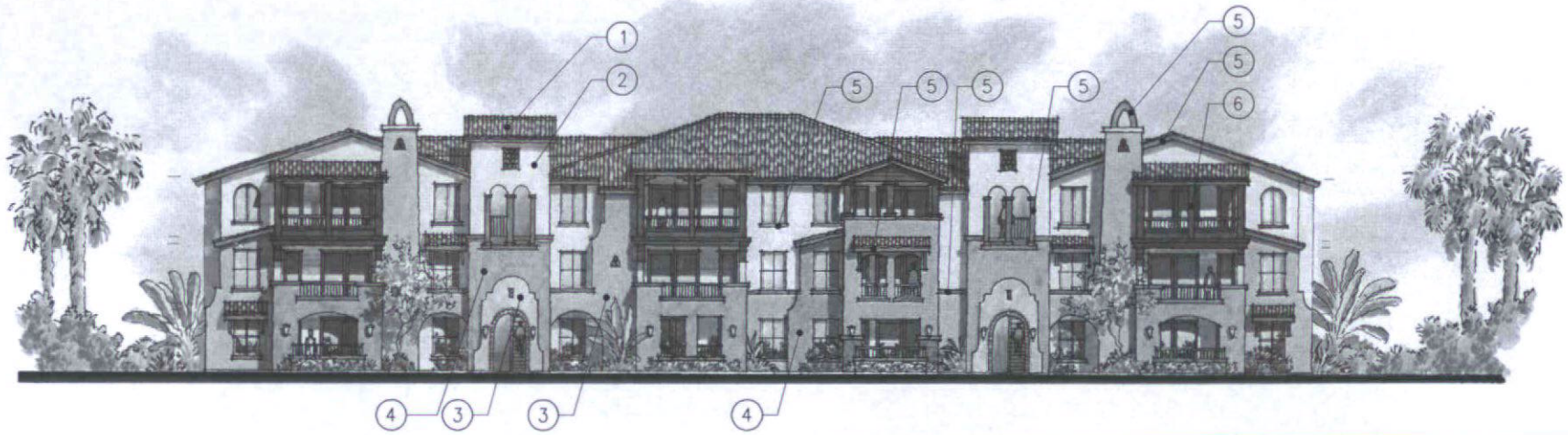
DATE: 2 / 27 / 2017

REVISIONS:

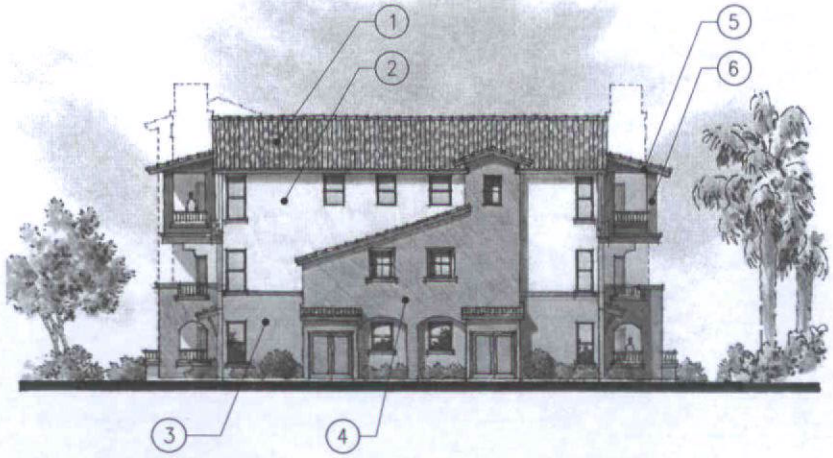
PROJECT NO. 13012

A8

SHEET OF



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

COLOR CHART

(These colors are approximate. Accuracy is limited by scanning & printing technology. Please see physical Color & Materials Board for actual materials.)

1. ROOF
EAGLE ROOF
CONCRETE TILE
CAPISTRANO
ADOBE BLEND 3723

2. BODY COLOR 1
KELLY MOORE
KM4527-1
TOASTED OATMEAL

3. BODY COLOR 2
KELLY MOORE
KM4530-2
FRIENDLY HOMESTEAD

4. BODY COLOR 3
KELLY MOORE
212
SALTILLO

5. FASCIA / ACCENT / TRIM
KELLY MOORE
KM4510-3
BEAR HUG

6. BALCONY
KELLY MOORE
417
OXFORD BROWN

COLOR & MATERIALS

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

8' 0' 8' 16'

LCA ARCHITECTS

CARL E. CHAPPO | DAVID BOOSTINO | PETER STICHOPOLE
1211 SAN PABLO AVENUE, PINOLE, CALIFORNIA 94564
(510) 964-1808 | (510) 964-1899 FAX | WWW.LCA-ARCHITECTS.COM

Esperanza at San Marco

PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

LCA ARCHITECTS
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COLOR & MATERIALS

SCALE: AS SHOWN
DATE: 2 / 27 / 2017

REVISIONS:

PROJECT NO. 13012

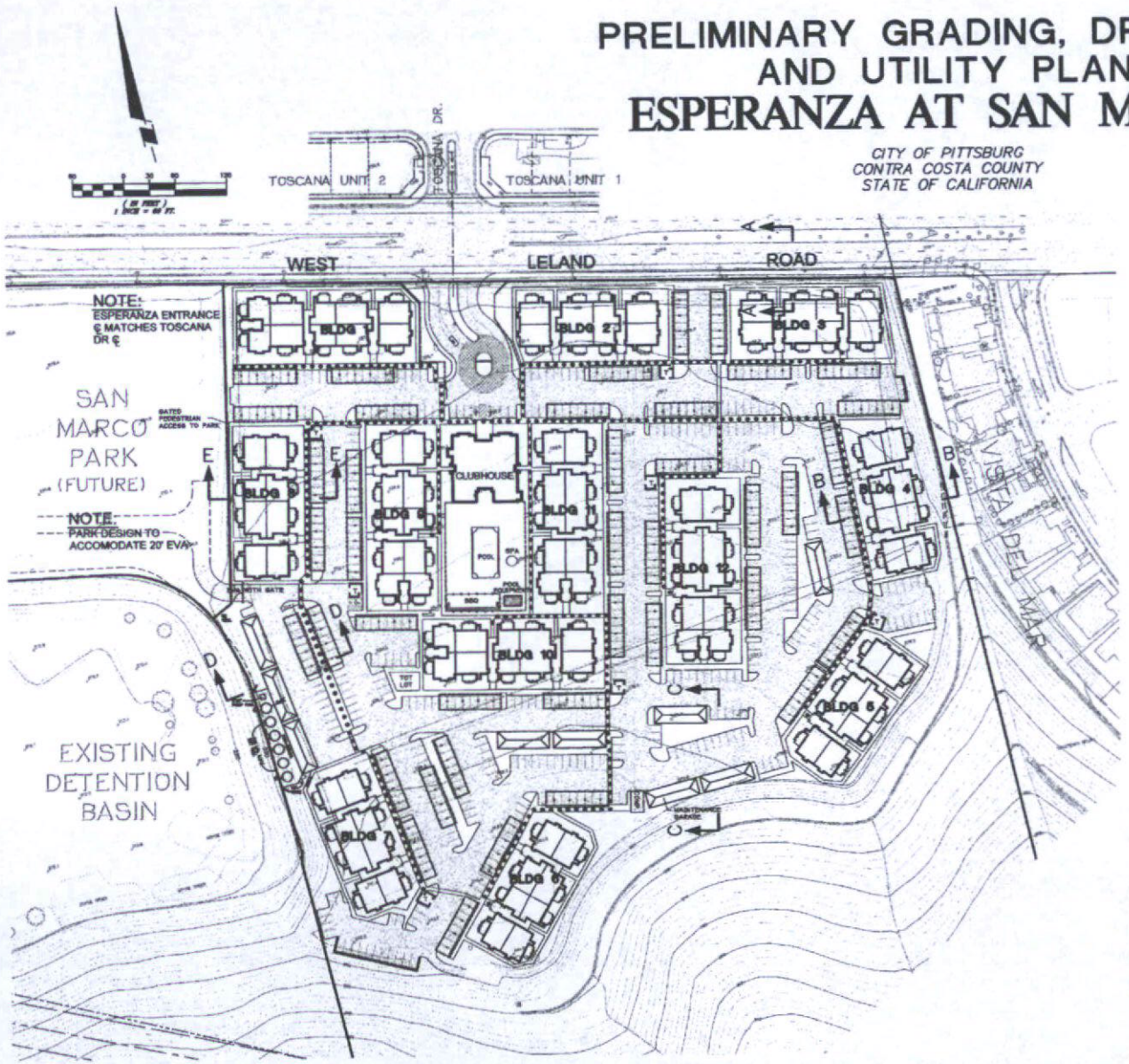
A9

SHEET OF

PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

RECEIVED
MARCH 10, 2017
PLANNING DIVISION



LEGEND:

	PROJECT BOUNDARY
	RIGHT-OF-WAY LINES
	PROPERTY LINES
	DAYLIGHT LINES
22	BUILDING NUMBER
P=250.0 / FF=250.0	PAD GRADE / BUILDING FINISH FLOOR
	FIRE HYDRANT
	SEWER LINE, & DIRECTION
	SEWER MANHOLE (PROPOSED)
	SEWER CLEANOUT
	STORM DRAIN LINE
	STORM DRAIN CATCH BASIN
	STORM AREA DRAIN
	STORM BASIN OUTFALL
	WATER LINE & SIZE
250.0	DENOTES FINISH GRADE
	DENOTES HANDICAP PATH OF TRAVEL
	STAIRWAY
	RETAINING WALL
	42" +/- DECORATIVE METAL VIEW FENCE
+ 93.76	EX. SPOT ELEVATION
	PROPOSED 2:1 SLOPE (UNLESS OTHERWISE NOTED)
	STREET GRADE & DIRECTION
	PROPOSED PAVEMENT
	PROPOSED SIDEWALK/WALKWAY
	CARPORT
	GARAGE

OWNER/DEVELOPER: SAN MARCO PROPERTIES, LLC.
4061 PORT CHICAGO HWY. STE. H.
CONCORD, CA 94520
PHONE: (925) 682-6419

CIVIL ENGINEER: ISAKSON & ASSOCIATES, INC.
2255 YGNACIO VLY.RD., SUITE C
WALNUT CREEK, CA 94598-3535
PHONE: (925) 937-9333

SOILS ENGINEER: ENGEO INC.
990 WALNUT AVENUE, SUITE 220
VALLEJO, CA 94592
PHONE: (707) 553-0030
(PROJECT No. 2705.2.702.01)

GENERAL NOTES:

1. ALL DOWNSPOUTS WILL BE CONNECTED TO AREA DRAINS AND STORM DRAIN LINES
2. PRELIMINARY INTERIOR STORM DRAIN SYSTEM SUBJECT TO CHANGE DEPENDING ON FIELD CONDITIONS AND LANDSCAPING
3. SEE LANDSCAPE PLANS FOR FENCE LOCATIONS
4. ALL PARKING BAYS WHICH COLLECT AND CONVEY WATER SHALL HAVE THRU CURB SLOTS TO ALLOW FLOW BETWEEN ISLANDS
5. APN NO. 087-550-018

SHEET INDEX

C1	TITLE SHEET, GENERAL NOTES & PATH OF TRAVEL
C2	SECTIONS
C3	GRADING AND DRAINAGE PLAN (1)
C4	GRADING AND DRAINAGE PLAN (2)
C5	UTILITY PLAN

ESPERANZA AT SAN MARCO

TITLE SHEET
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

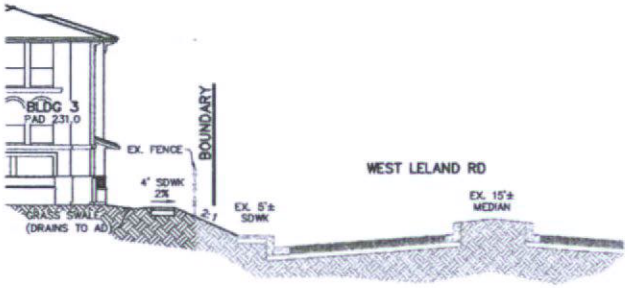
Isaksen & Assoc. Inc.
civil engineering land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA 94598 Phone:(925) 937-9333

DATE:	DESIGNED BY:	DRAWN BY:	CHECKED BY:	JOB NO.	SHEET
02-09-17	DOI	JDVL	DOI	201303	C1 OF 5

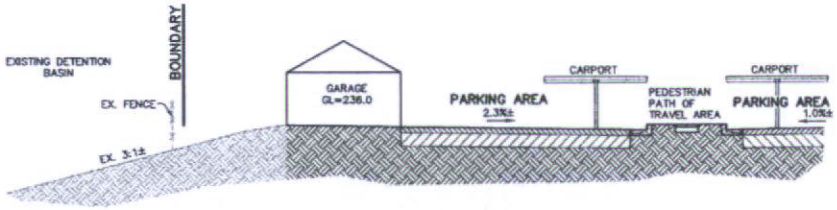
ESPERANZA AT SAN MARCO - PRELIMINARY GRADING, DRAINAGE & UTILITY PLAN 02-09-17

PRELIMINARY GRADING, DRAINAGE AND UTILITY PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA



SECTION A–A
NOT TO SCALE



SECTION D–D
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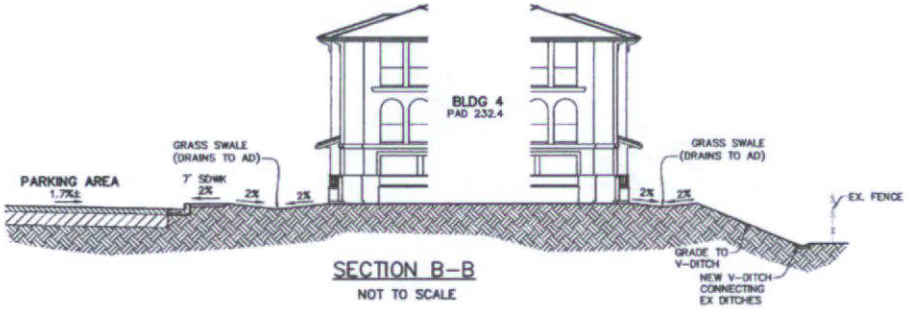

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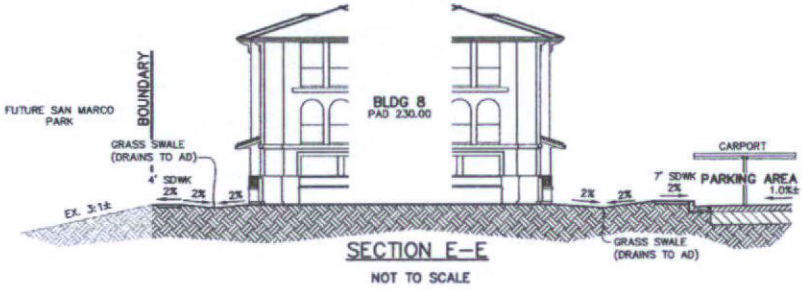

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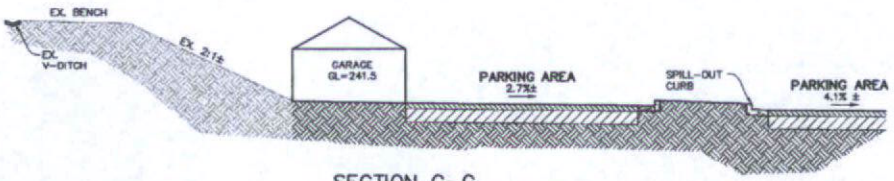


SECTION C–C
NOT TO SCALE

ESPERANZA AT SAN MARCO

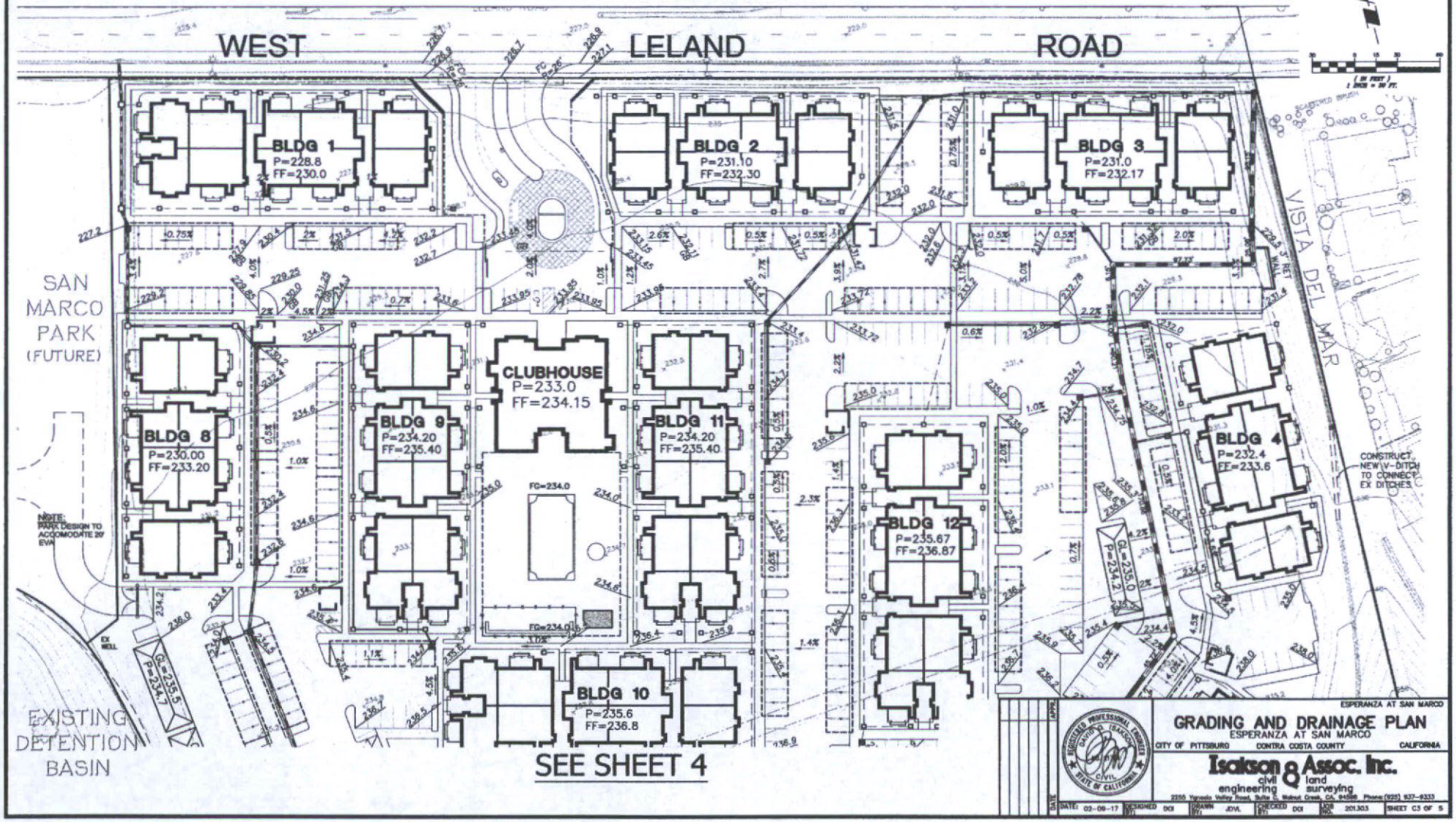
SECTIONS
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

Isaakson & Assoc. Inc.
civil engineering land surveying
2250 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone:(925) 837-9333

DATE	DESIGNED BY	DRAWN BY	CHECKED BY	JOB NO.	SHEET
02-09-17	DOI	JDVL	DOI	201303	C2 OF 5

PRELIMINARY GRADING & DRAINAGE PLAN
ESPERANZA AT SAN MARCO

CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

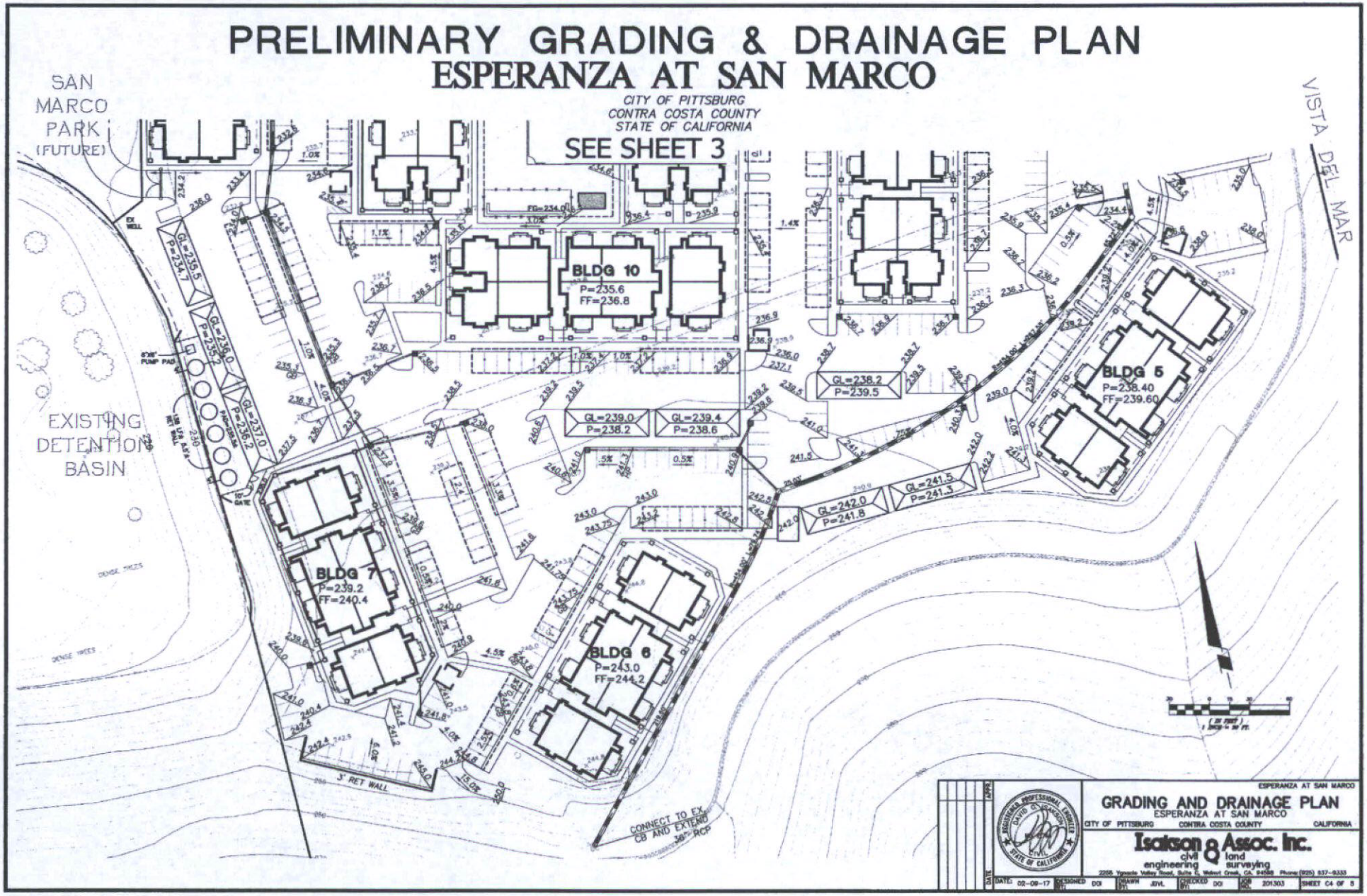


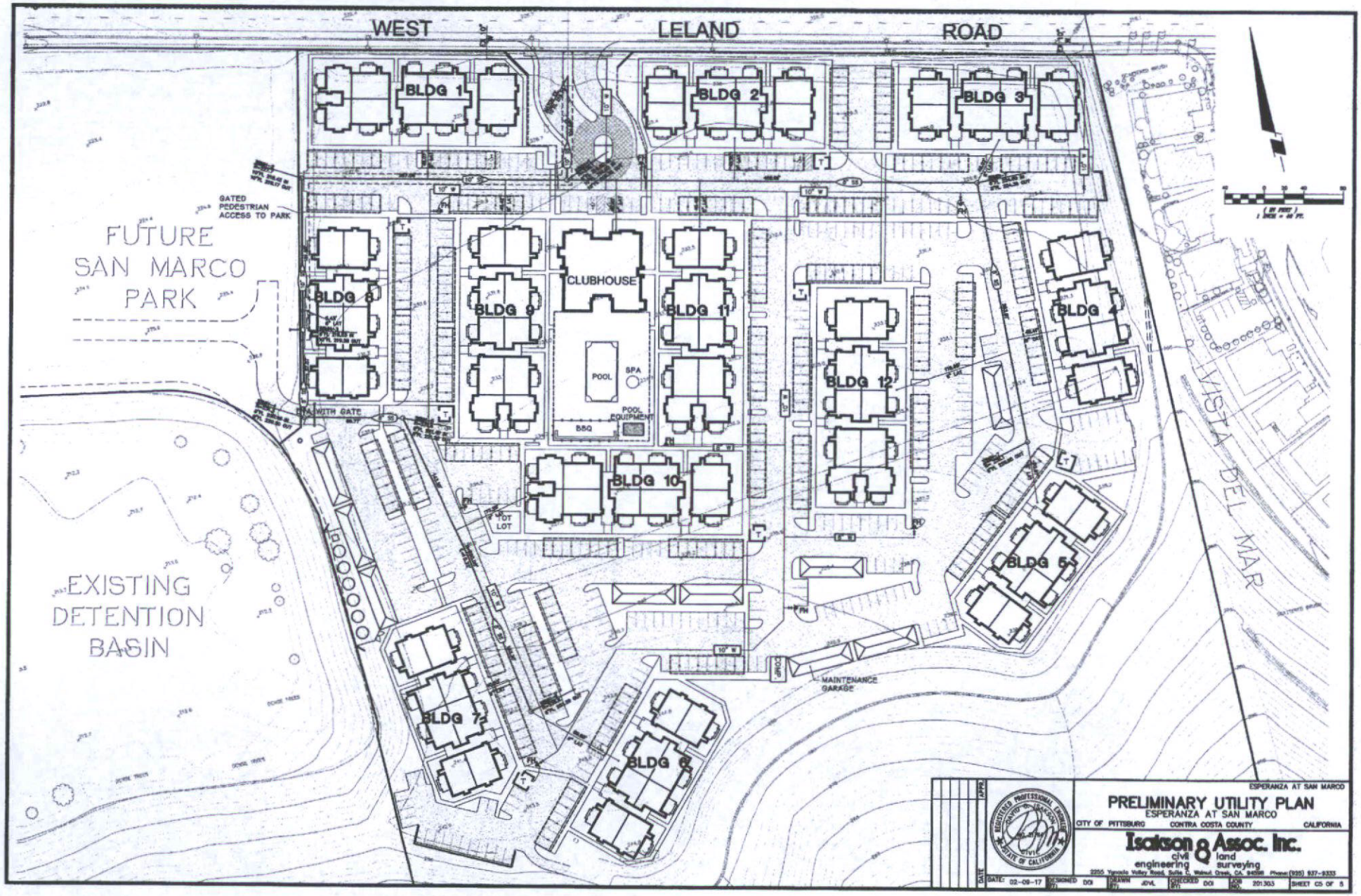
ESPERANZA AT SAN MARCO

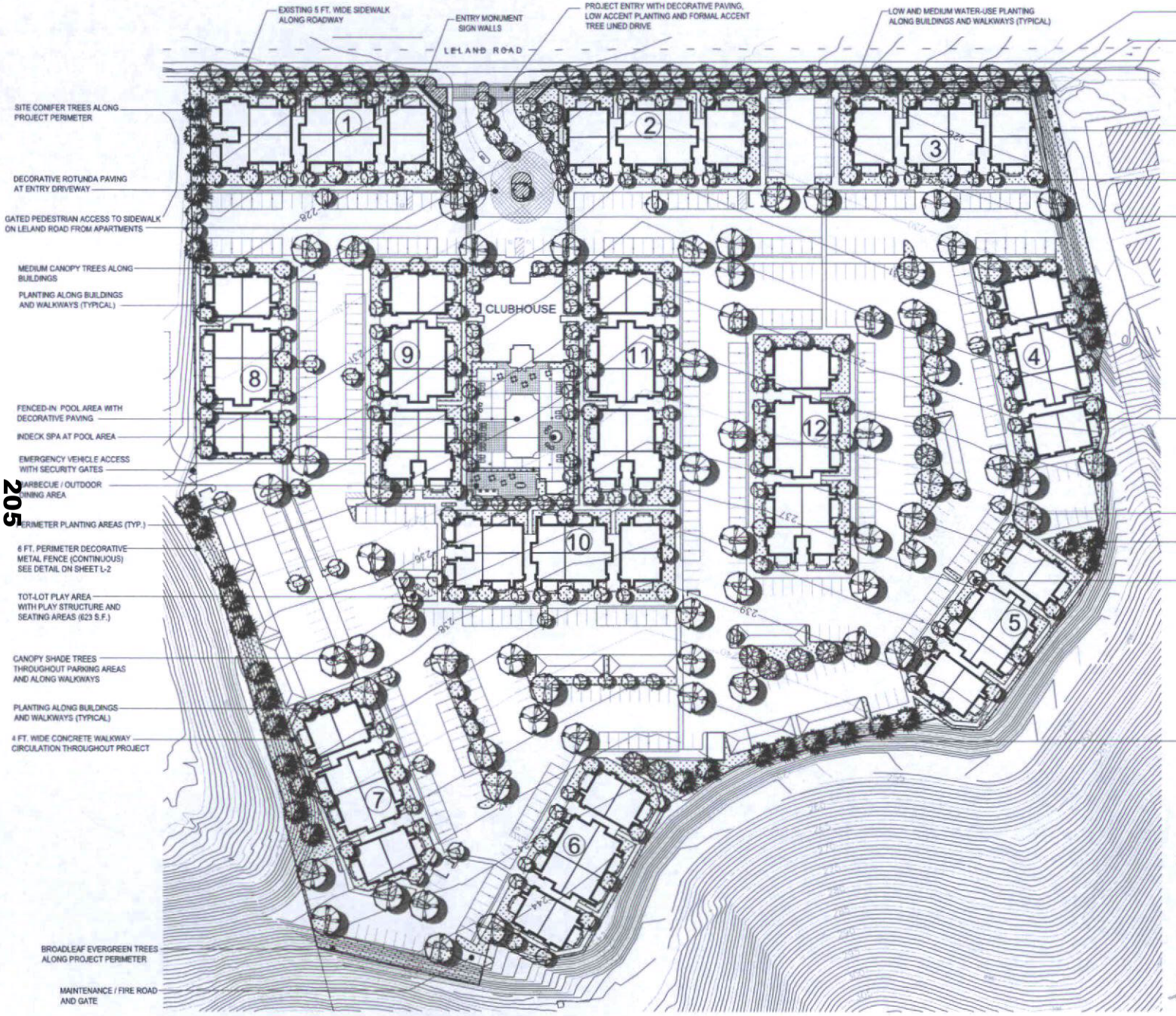
GRADING AND DRAINAGE PLAN
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

Isakson & Assoc. Inc.
civil engineering land surveying
2256 Ygnacio Valley Road, Suite C, Walnut Creek, CA, 94598 Phone (925) 937-9333

DATE	DESIGNED	DRAWN	CHECKED	JOB NO.	SHEET
DATED 02-09-17	DCI	JDVL	DCI	201303	SHEET C3 OF 5


PRELIMINARY GRADING & DRAINAGE PLAN
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG
CONTRA COSTA COUNTY
STATE OF CALIFORNIA
SAN MARCO PARK (FUTURE)
SEE SHEET 3
VISTA DEL MAR
EXISTING DETENTION BASIN
BLDG 10
P=235.6
FF=236.8
BLDG 5
P=238.40
FF=239.60
BLDG 7
P=239.2
FF=240.4
BLDG 6
P=243.0
FF=244.2
GL=235.5
P=234.7
GL=238.0
P=235.2
GL=237.0
P=236.2
GL=239.0
P=238.2
GL=239.4
P=238.6
GL=238.2
P=239.5
GL=242.0
P=241.8
GL=241.5
P=241.3
3' RET WALL
CONNECT TO EX CB AND EXTEND 36" RCP
ESPERANZA AT SAN MARCO
GRADING AND DRAINAGE PLAN
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA
Isaacson & Assoc. Inc.
civil engineering land surveying
DATE: 02-09-17
DESIGNED BY: DOI
DRAWN BY: JDVL
CHECKED BY: DOI
JOB NO.: 201303
SHEET C4 OF 5


WEST LELAND ROAD
BLDG 1
BLDG 2
BLDG 3
GATED PEDESTRIAN ACCESS TO PARK
FUTURE SAN MARCO PARK
BLDG 8
BLDG 9
CLUBHOUSE
BLDG 11
BLDG 4
POOL
SPA
POOL EQUIPMENT
BBQ
BLDG 12
GATE WITH GATE
TOT LOT
BLDG 10
VISTA DEL MAR
BLDG 5
EXISTING DETENTION BASIN
MAINTENANCE GARAGE
BLDG 7
BLDG 6
ESPERANZA AT SAN MARCO
PRELIMINARY UTILITY PLAN
ESPERANZA AT SAN MARCO
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA
Isakson & Assoc. Inc.
civil engineering land surveying
2355 Ygnacio Valley Road, Suite E, Walnut Creek, CA 94598 Phone: (925) 937-9333
DATE: 02-09-17 DESIGNED DOI DRAWN JDVL CHECKED DOI JOB NO. 201303 SHEET C5 OF 5



205

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PLANNING DIVISION

SITE AREA TOTALS:

PROJECT DEVELOPMENT AREA:	12.92 ACRES
PROJECT LANDSCAPE AREA:	2.97 AC (129,286 SQ. FT.)
LANDSCAPE AREA PERCENTAGE OF SITE:	23% OF SITE

GRAPHIC SCALE

(IN FEET)
1 inch = 40 ft.

REFER TO L2 FOR PRELIMINARY PLANT LIST AND ENLARGEMENTS

Thomas Baak & Associates, LLP
Landscape Architects
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

LCA ARCHITECTS

Esperanza at San Marco

PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

LCA ARCHITECTS

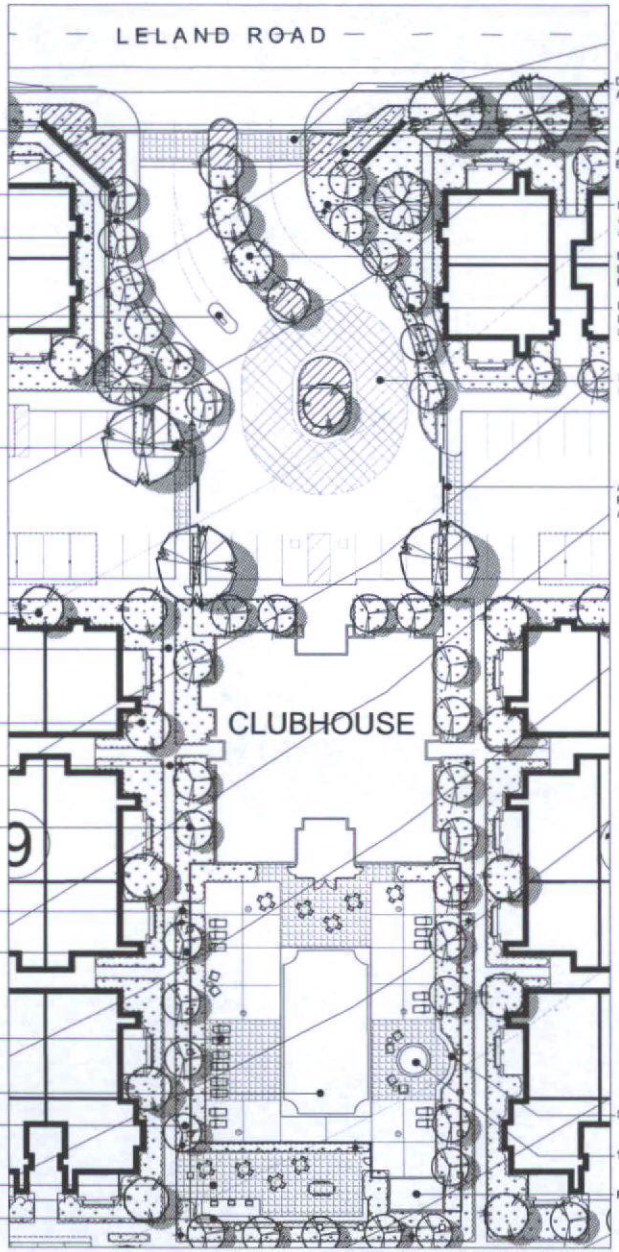
MASTER PRELIMINARY LANDSCAPE PLAN

SCALE:
DATE: 2/24/2017
REVISIONS:

PROJECT NO. 13012

L1

SHEET OF



MONUMENT ENTRY WALLS WITH PROJECT SIGNAGE (BOTH SIDES OF ENTRY DRIVE)

FLOWERING ACCENT TREES LINE ENTRY SIGNS AND ALONG ENTRY DRIVE

PLANTING ALONG BUILDINGS AND WALKWAYS (TYP.)

GUEST ENTRY CALL-BOX MEDIAN WITH ACCENT PLANTING

LOCKABLE SECURITY MAN GATES AT EACH SIDE OF ENTRY

BROADLEAF EVERGREEN TREES THROUGHOUT PROJECT

5 FT. WIDE CONCRETE WALKWAY CIRCULATION THROUGHOUT PROJECT

MIX OF LOW AND MEDIUM HT. LOW-WATER USE PLANTING ALONG BUILDINGS (TYP.)

DECORATIVE BOLLARD LIGHTING ALONG PEDESTRIAN PATHWAYS

SMALL FLOWERING ACCENT TREES ALONG WALKWAYS

GATE ACCESS TO POOL AT (3) LOCATIONS

5 FT. HEIGHT DECORATIVE METAL PICKET SECURITY FENCE ENCLOSES POOL AREA

CONTRASTING DECORATIVE PAVING ACCENTS AT POOL AREA WITH CHAISE LOUNGES

30 FT. x 60 FT. POOL

FLOWERING ACCENT PLANTING AROUND POOL AREA

BARBECUE AREA WITH TABLES AND CHAIRS

LOW SCREEN WALL

DECORATIVE PAVING ACCENTS AT ENTRY DRIVE

ANNUAL AND PERENNIAL ACCENT COLOR BEDS AT ENTRY MONUMENT CORNERS

DECORATIVE BOLLARD LIGHTING ALONG PEDESTRIAN PATHWAYS AND PROJECT ENTRY

ENTRY DRIVE MEDIAN DIVIDER WITH LOW ACCENT PLANTING AND SMALL FLOWERING TREES

DECORATIVE METAL PICKET FENCE LINING ENTRY DRIVE UP TO AUTO SECURITY GATES

DECORATIVE CIRCULAR ACCENT PAVING AT CLUBHOUSE ENTRY DRIVE

AUTOMATIC SECURITY GATE ACCESS FOR AUTOS WITH ACCENT PAVING AT EACH SIDE OF ENTY

SEATWALL

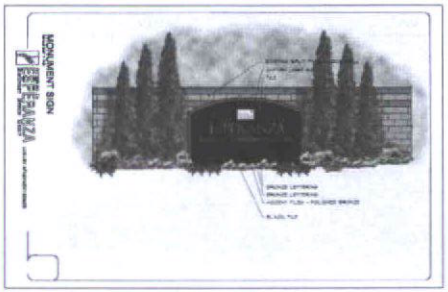
10 FT. DIAMETER INGROUND SPA

POOL EQUIPMENT BUILDING

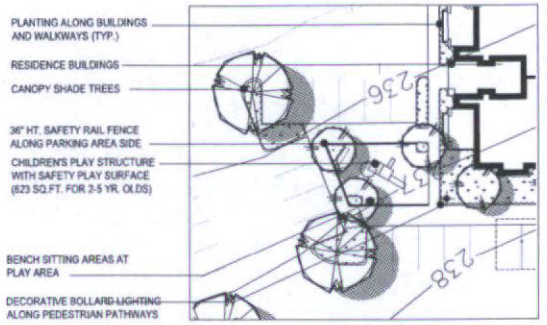
PROJECT ENTRY AND CLUBHOUSE AREA

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.



PROJECT SIGNS AT ENTRY WALLS



CHILDREN'S PLAY LOT AREA

PRELIMINARY PLANT LIST:

LARGE CANOPY SHADE TREES: 15 GALLON SIZE
ACER RUBRUM (SCARLET MAPLE)
PLATANUS ACERIFOLIA 'COLUMBIA' (PLANETREE)
QUERCUS COCCINEA (SCARLET OAK)
ULMUS PARVIFOLIA (CHINESE ELM)
ZELKOVA SERRULATA (ZELKOVA TREE)

MEDIUM CANOPY TREES: 15 GALLON SIZE
CARPINUS BETULAS 'FRANS FONTAINE' (HORNBEAM)
FRAXINUS OXY. 'RAYWOOD' (RAYWOOD ASH)
PISTACIA CHINENSIS (CHINESE PISTACHE)

CONIFER TREES: 15 GALLON
CEDRUS DEODARA (DEODARA CEDAR)
PINUS ELDARICA (AFGHAN PINE)

BROADLEAF EVERGREEN TREES: 15 GALLON SIZE
ARBUTUS 'MARINA' (MARINA)
LAURUS NOBILIS (SWEET BAY)
LOPHOSTEMON CONFERTUS (BRISBANE BOX)
OLEA EUROPEA (FRUITLESS OLIVE)
QUERCUS AGRIFOLIA (COAST LIVE OAK)

ACCENT TREES: 15 GALLON SIZE
CERCIS OCCIDENTALIS (REDBUD)
CRATAEGEUS LAEVIGATA (FLOWERING CRABAPPLE)
LAGERSTROEMIA SPECIES (CRAPE MYRTLE)
PRUNUS CERASIFERA (PURPLE-LEAF PLUM)

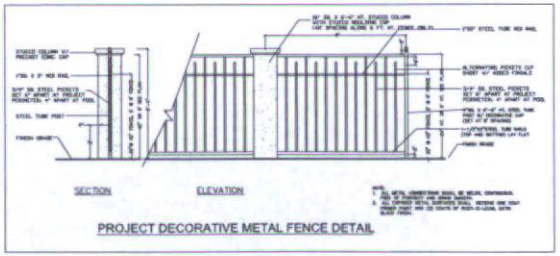
ACCENT PERENNIALS/GRASSES: ONE GALLON SIZE
CAREX SPECIES (SEDGE)
DIETES VEGETA (FORTNIGHT LILY)
ERIGERON KARVINSKIANUS (SANTA BARBARA DAISY)
HEMEROCALLIS SPECIES (DAYLILY)
LANTANA MONTEVIDENSIS (LANTANA)
LAVANDULA AUGUSTIFOLIA (ENGLISH LAVENDER)
NASSELLA SPECIES (FEATHER GRASS)
PENNISETUM SPECIES (FOUNTAIN GRASS)
PHORMIUM SPECIES (FLAX)

SHRUBS: 5 GALLON SIZE
ABELIA SPECIES (ABELIA)
ARCTOSTAPHYLOS 'HOWARD MCMINN' (MANZANITA)
BERBERIS 'THUNBERGII (BARBERRY)
BUXUS JAPONICA (BOXWOOD)
CEANOTHUS SPECIES (WILD LILAC)
CISTUS SPECIES (ROCKROSE)
HETEROMELES ARBUTIFOLIA (TOYON)
LIGUSTRUM TEXANUM (PRIVET)
MYRTUS COMMUNIS (DWARF MYRTLE)
PITTOSPORUM SPECIES (MOCK ORANGE)
PLUMBAGO AURICULATA (CAPE PLUMBAGO)
RHAMNUS CALIFORNICA 'EVE CASE' (COFFEEBERRY)
RHAPHIOLEPIS INDICA (INDIA HAWTHORN)
ROSMARINUS 'TUSCAN BLUE' (TUSCAN ROSEMARY)
SALVIA SPECIES (SAGE)
TEUCRIUM FRUTICANS (GERMANDER)
VIBURNUM TINUS 'SPRING BOUQUET' (LAURUSTINUS)

GROUNDCOVERS: ONE GALLON (SPACING NOTED)
ARCTOSTAPHYLOS 'POINT REYES' (MANZANITA) - 36" O.C.
COPROSMA 'VISTA VERDE' (COPROSMA)-36" O.C.
COTONEASTER 'LOWFAST' (COTONEASTER) - 42" O.C.
ROSMARINUS PROSTRATUS (ROSEMARY) - 36" O.C.

GENERAL NOTES:

1. ALL PLANTING SHALL BE WATERED BY A FULLY AUTOMATIC, WATER-CONSERVING IRRIGATION SYSTEM, COMPRISED OF DRIP APPLICATION AND LOW PRECIPITATION BUBBLERS.
2. ALL PLANTING AREAS SHALL RECEIVE A 3" LAYER OF FIRSARK MULCH DRESSING.
3. NO TURF IS PROPOSED FOR THIS PROJECT.



PROJECT DECORATIVE METAL FENCE DETAIL

Thomas Baak & Associates, LLP
Landscape Architects
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Esperanza at San Marco

PITTSBURG, CALIFORNIA
A.P.N. 097-550-018

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PRELIMINARY ENLARGEMENT PLANS

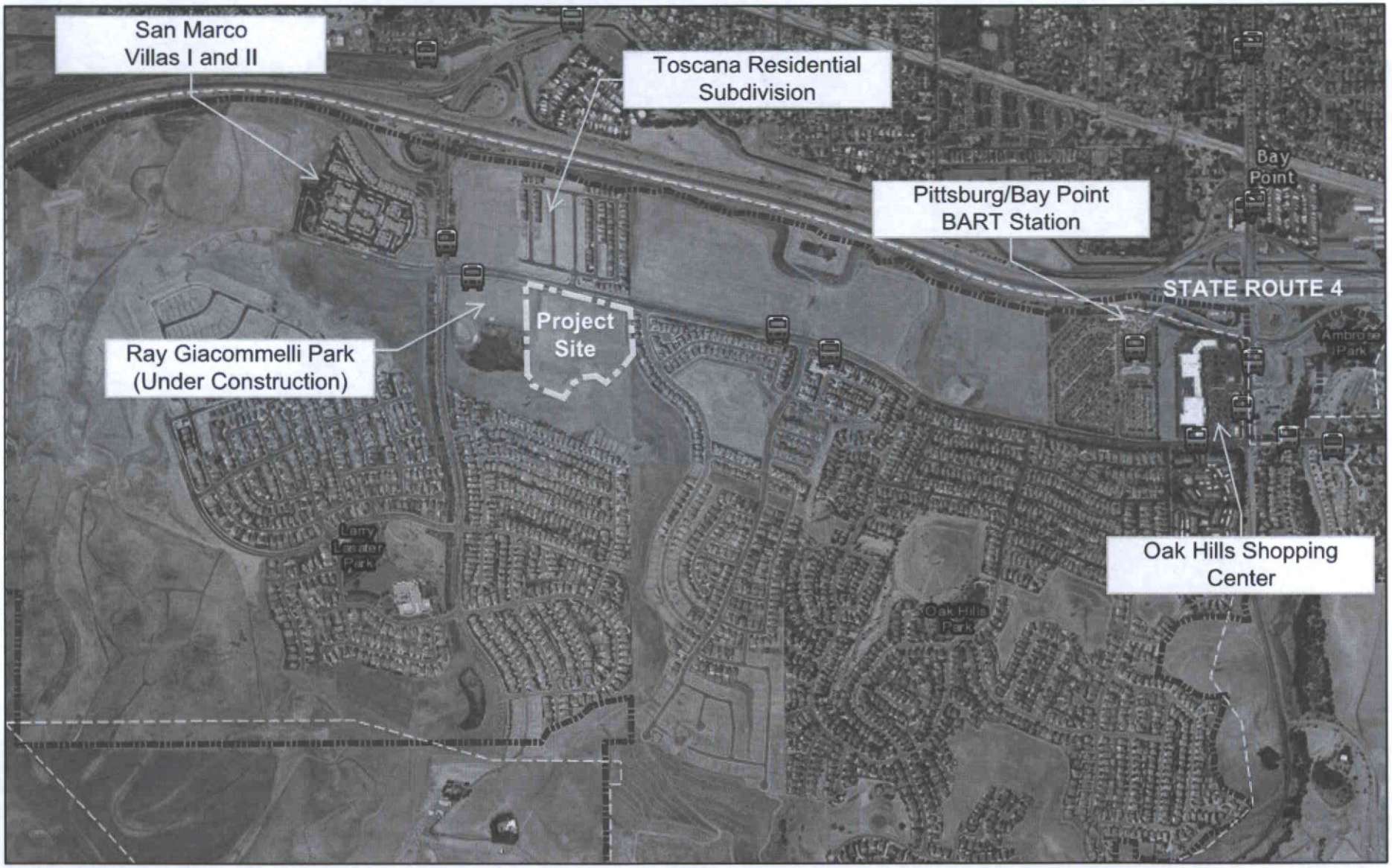
SCALE:
DATE: 2/24/2017
REVISIONS:

PROJECT NO. 13012

L2

SHEET OF

Surrounding Land Uses



April 12, 2017

1:18,056

0 0.15 0.3 0.6 mi

0 0.25 0.5 1 km

Bus stop

City Limits

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

Planning Division
City of Pittsburg

Existing Conditions



Fig. 1: Project site facing southeast

Attachment4

Applicable General Plan Goals and Policies

Esperanza at San Marco, AP-13-932 (DR)

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 be constructed within the existing municipal boundary, helping the City maintain a compact urban form. No Hillside land would be disturbed.
2-G-5: Promote a diversity of housing types, including opportunities for hillside estate development, as well as smaller lot, infill, and high-density housing.	**Consistent.**The proposed project would provide high-end, market-rate rental housing for families and young professionals within one mile of the Pittsburg/Bay Point BART Station.
2-P-5: Undertake planned development as a means to achieve high communitydesign standards, not to circumvent development intensity standards.	**No conflict.**The proposed project is located within the PD-1362 (Planned Development, Ordinance No. 12-1362) District, also known as 'San Marco.' The proposed project was identified as part of the development plan.
2-P-6: Ensure provision of community amenities within planned developmentprojects, including parks and recreation facilities, streetscaping andpedestrian paths, transit facilities, parking areas, and public safetyfacilities. Ensure construction of amenities at a time that is in balancewith the needs of the development.	**Consistent.** The proposed project is adjacent to Ray Giacommelli Park, and includes a separate tot lot and clubhouse facility with a pool and gym onsite. Additionally, proposed conditions of approval would require the developer install a bollard style bike repair station, bicycle parking racks, and a 100-square foot area for community gardening.
2-P-7: During development review, consider project compatibility with existingsurrounding land uses. Ensure that sensitive uses—such as residences,schools, and parks—are not subject to hazardous or unhealthyconditions.	**No conflict.** The proposed project would be located within an existing residential setting, and would not create hazardous or unhealthyconditions.
2-P-15: Ensure minimum residential densities, in accordance with the ranges stipulated in this Plan.	**No conflict.**The proposed project is located within 'Village M' of the PD-1362 (Planned Development, Ordinance No. 12-1362) District. Village M is a 22.3-acre site with 420 residential apartment units planned and a maximum allowable density of 18 units per acre; the proposed project is approximately 14.3 units per gross acre.
2-P-18: Limit all new multi-family housing to 20 units or more. Update the Zoning Ordinance to ensure that new multi-family projects are developed as large-scale, professionally maintained, high-density housing.	**Consistent.**The project, as proposed, includes 318 apartment units.
2-P-30: Encourage private developers to conduct geo-technical and biologicalstudies prior to filing project applications to ensure environmentallysensitive project layout and design.	**No conflict.** The proposed development was analyzed within the San Marco Subsequent Final EIR, which included geotechnical and biological studies.
2-P-86: Work with project developers to ensure that new residential neighborhoods and business commercial complexes built along West Leland Road provide transit amenities (such as pedestrian paths, bus shelters, bicycle racks) and convenient access to the Pittsburg/Bay Point BART Station.	**Conditionally consistent.** Proposed conditions of approval would require the developer install a bollard style bike repair station and bicycle parking racks.

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.	**No conflict.** The proposed project would provide additional housing options in an area where demand is at an all-time high, and would not remove open space or habitat areas. Additionally, proposed conditions of approval would require the developer install transportation improvements, such as traffic signals at the intersection of West Leland Road and the project entrance, as well as amenities that would encourage bicycle use, such as indoor parking racks and a repair station.
3-G-5: Ensure that new residential, commercial and industrial growth within the Voter-Approved Urban Limit Line pays its share of the costs for the construction of facilities needed to serve that growth.	**No conflict.** The developer would be required to pay all building permit and impact fees associated with residential development.
3-G-9: Encourage the provision of new and improved pedestrian, bicycle and transit facilities to serve all users of new development projects.	**Conditionally consistent.**Proposed conditions of approval would require the developer install a six-foot-wide sidewalk along the project frontage, as well as bicycle amenities such as parking facilities and a repair station.
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 proposed project site is located in an area where public facilities and infrastructure are available or can be provided.
3-P-2: Prior to project approval, ensure that the existing and planned transportation system will have adequate capacity to accommodate new urban development.	**No conflict.**The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The project is in substantial conformance with the multi-family residential units analyzed in the SEIR for Village M of the San Marco Development Plan area. A proposed condition of approval would require the developer comply with all applicable mitigation measure contained within the SEIR.
3-P-12: Adopt and update development mitigation programs that collect fees to mitigate transportation impacts to both local and regional transportation facilities.	**No conflict.** Proposed conditions of approval would require the developer pay local and regional traffic mitigation fees.
3-P-16: Preserve options for future transit use when designing improvements for roadways. Ensure that developers provide bus turnouts and/or shelters, where appropriate, as part of projects. (Transportation Policy 7-P-29)	**No conflict.**The nearest existing transit stop and bus turnout is approximately 500 feet from the project site.
3-P-17: As part of development approval, ensure that safe and contiguous routes for pedestrians and bicyclists are provided within new development projects and on any roadways that are impacted as a result of new development. (Transportation Policy 7-P-34)	**Conditionally consistent.** Proposed conditions of approval would require the developer install a six-foot-wide sidewalk along the project frontage, as well as bicycle amenities such as parking facilities and a repair station.
Urban Design	
4-G-11: Initiate streetscape improvements to create an attractive, usable, multimodal transportation corridor along Leland Road.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. This, combined with a proposed condition of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, would create an attractive, usable, multimodal transportation corridor.

4-G-17: Encourage development of diverse and distinctive neighborhoods that build on the patterns of the natural landscape and provide a sense ofconnection with surrounding uses.	**No conflict.**The proposed project would be consistent with the San Marco development plan and the architectural style apparent throughout the area. The proposal includes a pedestrian connection to the future Ray Giacommelli Park, to the west.
4-G-18: Ensure that neighborhood streets provide safe and attractive connections to local schools, parks, commercial centers, and transit facilities for pedestrians and bicycles.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. This, combined with a proposed condition of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, would create an attractive, usable, multimodal transportation corridor.
4-P-81: Encourage neighborhood design—including components such as land use, development intensity, and street layout—to be responsive tonatural and institutional elements, including:Adjacent Uses. Promote connections with surrounding land uses by integrating street networks and visual/architectural treatments.	**Consistent.** The proposed project includes connections to the future Ray Giacommelli Park. A proposed condition of approval would require pedestrian-scale lighting be installed along pathways throughout the development to encourage walking and enhanced safety.
4-P-82: Develop and implement development standards in the City's ZoningOrdinance and Subdivision Regulations that minimize the visualdominance of garages in residential units.	**Consistent.**The proposed project includes nine detached garages, each housing 6 vehicles. These garages are proposed to be located at the rear of the property and would not be visible from West Leland Road. Additionally, a proposed condition of approval would require carports visible from the right-of-way or Ray Giacommelli Park be finished with a roof material and pitch similar to that of the main residential buildings.
4-P-83: Ensure that new developments provide an integrated pattern of streets and pedestrian paths that provide connections between neighborhoods.	**No conflict.**The current proposal does not include any improved pedestrian, bicycle, or transit facilities. However, the project includes a network of internal pathways throughout the site, as well as to the future park, and would not eliminate or reroute any existing neighborhood connections.
4-P-85: Provide safe and comfortable pedestrian routes through local neighborhoods by requiring sidewalks on both sides of residential streets, except in hillside areas, by planting street trees adjacent tothe curb, and by minimizing curb cuts.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. This, combined with a proposed condition of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, would create an attractive, usable, multimodal transportation corridor.
Transportation Element	
7-G-15: Encourage walking as a regular means of transportation for people who live within a half-mile walk of school, work, or routine shoppingdestinations.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. This, combined with a proposed condition of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, would create an attractive, usable, multimodal transportation corridor.
7-P-2: Use the adopted Regional and Local Transportation Impact Mitigation Fee ordinances to ensure that all new development pays an equitable pro-rata share of the cost of transportation improvements.	**No conflict.** Proposed conditions of approval would require the developer pay local and regional traffic mitigation fees.

7-P-4: Require that all traffic studies be conducted by professional transportation consultants selected by the Planning and Building and Engineering Departments, with the City acting as the lead agency. Ensure that all costs associated with the traffic study are paid by the applicant.	**No conflict.**The proposed project is within the scope of the SEIR (SCH #91073029) prepared for the San Marco Development Plan Area and certified by the Planning Commission on October 13, 1992. The traffic study conducted as part of this SEIR was prepared by a professional transportation consultant.
7-P-34: As part of development approval, ensure that safe and contiguous routes for pedestrians and bicyclists are provided within new development projects and on any roadways that are impacted as a result of new development.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. This, combined with a proposed condition of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, would create an attractive, usable, multimodal transportation corridor.The project also includes a network of internal pathways throughout the site, as well as to the future park, and would not eliminate or reroute any existing neighborhood connections.
7-P-39: Ensure that residential and commercial developments provide pedestrian pathways between lots for direct routes to commercial centers, schools, and transit facilities.	**Consistent.**The proposed project includes a network of internal pathways as well as a pedestrian connection to the neighboring park. This will allow residents easy and direct access to the bus stop located in front of the park along West Leland Road, as well as a safe path of travel to nearby school facilities.
7-P-40: Ensure provision of sufficiently wide sidewalks and pedestrian paths in all new residential development.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. This, combined with a proposed condition of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, would create an attractive, usable, multimodal transportation corridor.The project also includes a network of internal pathways throughout the site, as well as to the future park, and would not eliminate or reroute any existing neighborhood connections.
7-P-42: Improve pedestrian crossing safety at heavily used intersections by installing crossing controls that provides adequate time for pedestrians to cross the street.	**Conditionally consistent.**A proposed condition of approval would require the developer install traffic signals and crosswalks at the intersection of West Leland Road and the project entrance.
7-P-43: Provide adequate roadway width dedications for bicycle lanes, paths, and routes as designated in Figure 7-4.	**No conflict.** West Leland Road is currently wide enough to allow for a Class II bicycle facility on both sides. The proposed project would not hinder the future development of this pathway.
7-P-45: During review of development projects, encourage secure bicycle facilities and other alternative transportation facilities at employment sites, public facilities, and multi-family residential complexes.	**Conditionally consistent.**Proposed conditions of approval would require the developer install a bollard style bike repair station and bicycle parking racks.
Youth and Recreation Element	
8-P-3: Develop public parks and recreational facilities that are equitablydistributed throughout the urbanized area, and provide neighborhood recreation facilities in existing neighborhoods where such facilities are presently lacking.	**Consistent.** The proposed project is adjacent to Ray Giacommelli Park, and includes a separate tot lot and clubhouse facility with a pool and gym onsite.

Resource Conservation Element	
9-G-11: Reduce the number of motor vehicle trips and emissions accounted to Pittsburg residents and encourage land use and transportation strategies that promote use of alternatives to the automobile for transportation, including bicycling, bus transit, and carpooling.	**Consistent.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. The project also includes a network of internal pathways throughout the site, is less than 500 feet from a bus stop, and less than a mile from a BART station. These factors, combined with proposed conditions of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, bicycle parking facilities, and a bicycle repair station, would promote use of alternative modes of transportation.
9-P-33: Encourage new residential development and remodeled existing homes to install clean-burning fireplaces and wood stoves.	**Consistent.** The proposed project includes clean burning gas fireplaces within third floor units. No fireplaces are proposed in lower level units.
Health and Safety Element	
10-P-39: Strive to maintain a ratio of 1.8 sworn police officers per 1,000 residents.	**No conflict.** The project site has previously been annexed into the public safety community facilities district (CFD).
Public Facilities Element	
11-G-2: Continue to implement water conservation policies to ensure adequate supplies of water in the future.	**Consistent.** The proposed project would include water conservation measures such as fully-automatic water systems, a three-inch layer of mulch, and no turf areas.
11-G-6: Continue reduction and recycling efforts within the City to divert increasingly larger portions of the waste stream from local landfills.	**Conditionally consistent.** A proposed condition of approval would require all trash enclosures be sized to meet the recycling requirements of AB 341.
11-G-7: Manage solid waste so that State diversion goals are met.	
11-G-8: Require development in areas of high fire hazard to be designed and constructed to minimize potential losses and maximize the ability of fire personnel to suppress fire incidents.	**No conflict.**The applicant would be required to adhere to all CCCFPD requirements prior to issuance of a building or grading permit.
11-P-18: Ensure that new residential, commercial, and industrial development equitably share costs associated with providing wastewater services to areas of urban expansion within the Planning Area.	**No conflict.** The proposed project would be required to install necessary utility and stormwater infrastructure or pay in lieu fees prior to construction. The developer would also be required to pay all building permit and impact fees associated with residential development.
11-P-23: Encourage builders to incorporate interior and exterior storage areas for recyclables into new or remodeled residential, commercial, and industrial structures.	**Consistent.**The proposal includes seven shared refuse areas that have been designed to accommodate trash and recycling facilities.
11-P-29: Ensure adequate road widths in new development for fire response trucks, per the subdivision regulations.	**No conflict.**The applicant would be required to adhere to all CCCFPD requirements prior to issuance of a building or grading permit.
11-P-33: As a condition of approval, ensure that all new and redevelopment projects underground utility lines on and adjacent to the site.	**Conditionally consistent.**A proposed condition of approval would require the undergrounding or screening of all utility equipment.

Noise Element	
12-G-1: Protect public health and welfare by eliminating or minimizing the effects of existing noise problems, and by preventing increased noise levels in the future.	**Conditionally consistent.** A proposed condition of approval would require the developer adhere to all mitigation measures and performance standards specified in the San Marco Subsequent Environmental Impact Report (SEIR) for potential noise impacts.
12-P-5: Require that applicants for new noise-sensitive development, such as schools, residences, and hospitals, in areas subject to noise generators producing noise levels greater than 65 dB CNEL, obtain the services of a professional acoustical engineer to provide a technical analysis and design of mitigation measures.	
12-P-6: Ensure that new noise-sensitive uses, including schools, hospitals, churches,and homes, in areas near roadways identified as impacting sensitive receptors by producing noise levels greater than 65 dB CNEL (Figure 12-1), incorporate mitigation measures to ensure that interior noise levels do not exceed 45 dB CNEL.	
Housing Element	
Housing Goal I: Foster development of a variety of housing types, densities, and prices tobalance the City's housing stock and to meet Pittsburg's regional fair share housing needs for people of all income levels.	**Consistent.**The proposed project would provide high-end, market-rate rental housing for families and young professionals within one mile of the Pittsburg/Bay Point BART Station.
Housing Goal V: Enhance the visual quality of Pittsburg's residential neighborhoods.	**Consistent.** The proposed project is designed to accentuate the Mediterranean-style of existing residential and commercial development in the area. The proposed project would utilize high quality materials and building accents, as well as heavy landscaping to provide a conformable and attractive neighborhood.
P-1.2: Encourage the construction of both high end and moderate-income housing in the southernfoothills, downtown, along the waterfront, and throughout Pittsburg to provide above moderate-income housing opportunities in the community and to increase economic activity within the city.	**Consistent.**The proposed project would provide high-end, market-rate rental housing for families and young professionals within the southern foothills.
P-1.4: Support the construction of multi-family housing in close proximity to transit, arterials,shopping, and public services.	**Consistent.**The proposed project would provide high-end, market-rate rental housing for families and young professionals within one mile of the Pittsburg/Bay Point BART Station, near the future Alves Ranch Commercial Development, and less than 500 feet from a bus stop.
P-1.6: Meet Pittsburg's fair share regional housing needs.	**Consistent.** The proposed project would contribute 318 market rate units towards the City's regional housing needs allocation (RHNA).
P-5.1: Enhance the quality and variety of new home designs and home additions to ensure anattractive living environment.	**Consistent.** The proposed project is designed to accentuate the Mediterranean-style of existing residential and commercial development in the area. The proposed project would utilize high quality materials and building accents, as well as heavy landscaping to provide a conformable and attractive neighborhood.
P-5.2: Enhance the built environment through citywide landscaping efforts including theinstallation of street trees that will grow to create a street tree canopy along roadways and sidewalks	

Attachment5
Property Development Comparison
Esperanza at San Marco, AP-13-932 (DR)

Development Regulations: *PD-1362*	**Requirement:**	**Proposed Project:**
Max. Density:	18 d.u./ac.	14.3 d.u./ac.
Height:	45 ft.	41 ft.
Max. Lot Coverage:	60%	< 60%
Minimum Yards:	-	-
Front:	10 ft.	13 ft.
Side	5 ft.	5 ft.
Rear:	10 ft.	200+ ft.
Site Landscaping:	n/a	23%
Private Storage Area:	n/a	37 s.f. (222 cu. ft.)
Private Open Space:	n/a	98-105 s.f.
Parking Required (2 spaces/unit):	632 spaces (318 covered)	632 spaces (318 covered)

Attachment5
Development Review Design Guidelines
Esperanza at San Marco, AP-13-932 (DR)

Design Review Guideline	Meets Guideline?
I.a: Reliefs and architectural treatments should be provided on all building elevations (360 degree architecture), i.e. 2"x4" (wood or styrofoam/stucco) window and door reveal treatment on all building elevations.	**Yes.**All building sides contain similar architectural treatments.
I.b: Provide concrete and/or tile roof material. Architectural grade composition material may be used if rake treatment is included or roof pitch, greater than 4:12 is used.	**Yes.**The project proposes concrete Spanish-style roof tiles on all residential buildings as well as on the clubhouse, garages, and carports visible from the right-of-way.
I.c: Each dwelling unit should be provided with complete front yard and corner-side yardxerophytic landscaping and automaticirrigation (Section 18.84.300 PMC).	**Yes.** The proposed landscape plans note that all planting areas shall be water by a fully automatic irrigation system. No turf will be used.
I.d: Required front yards should vary in depth unless otherwise stated for a proposed PD (Planned Development) district.	**Not applicable.**The proposed project does not proposed multiple lots with separate yards or residences.
I.e: Decorative masonry walls should be provided between all arterial streets andfuture homes.	**Not applicable.**The applicant has proposed installing a wrought-iron gate with concrete pilasters along the street frontage.
I.f: Roof slopes should be considered greater than 4:12 unless inappropriate forarchitectural style (i.e. Ranch Style, etc.).	**Yes.** The proposed 12:4 roof slope is appropriate for the architectural style.
I.g: Provide articulated garage doors on all garages.	**Yes.** All proposed garage doors contain architectural reliefs appropriate for their location within the interior of the development.
I.h: Garage doors designs should not be duplicated. Not less than four styles shouldbe used in a subdivision.	**Not applicable.** All garage doors should be of a common style as this is a single development.
I.i: Side-on garages are recommended intermittently through-out the subdivision (70' wide lots or greater).	**Not applicable.** All garages are located within the interior of the project site, and will not be visible from the public right-of-way.
I.j: Garage frontage should not occupy more than 60% of allowable lot frontage.	**Yes.** All garages are located within the interior of the property, behind the main residential buildings.

I.k: Provide board-onboard fencing on all side yards and rear yards (excluding side yards and rear yards adjacent to majorthoroughfares), unless a view corridor is to be maintained.	**Not applicable.** The proposed project does not include board-on-board fencing.
I.l: The architectural treatments (such as sidings, shingles, window and door trims) established on the front facades of each of the approved house designs shall be carried around to the sides and rear elevations of the buildings, except that masonry veneer treatments at the base of a structure need be carried only partly around the side elevations, to either the adjoining fence line or the closest interior right angle joint.	**Yes.** All building sides contain similar architectural treatments.
II.a: Subdivision entry monuments should be provided on new major subdivisions, neighborhoods or villages, if appropriate	**Yes.** The proposed project would include an entry sign on either side of the entry drive. The design of the sign would be similar to other subdivision signage within the San Marco development area.
II.b: Perimeter wall and/or sound wall pilasters should not be greater than 50' on-center.	**Yes.**The proposed project would include a metal picket fence with concrete pilasters positioned 40 feet on-center.
II.c: Sound walls exceeding 6' in height and visible from the public right-of-way should be treated with decorative features consistent with the neighborhood design.	**Yes.** The proposed project does not propose any masonry or soundwalls at this time. However, concrete pilasters placed intermittently along the project frontage would be stucco finished and include a stucco molding cap.
II.d: All masonry walls should include a wall cap.	
II.e: Retaining walls, exceeding 3 feet tall,adjacent to a public right-of-way should beconstructed with the same materials asused for the sound wall.	**Not applicable.**The project does not propose any retaining walls exceeding three feet in height.
II.f: Masonry or sound walls should be staggered when adjacent to public right-of-ways.	**Not applicable.** The proposed project does not include a masonry or soundwall along the public right-of-way.
II.g: Single story units should be located on corner lots whenever possible.	**Not applicable.** The proposed project is not located on a corner lot.

II.h: Developer should select, at least, one of the schemes provided in Appendix #1 for screening all utility boxes, transformers, backflow preventers, meters and junction boxes.	**Conditionally.** A proposed condition of approval would require the developer underground or screen all utility boxes, transformers, backflow preventers, meters and junction boxes.
II.i: Construct fence/walls at top of down slope banks. Design fence at top of slope to take advantage of potential views.	**Not applicable.**The proposed project site is flat, and development would not impact any scenic vistas or other views.
II.j: Dwelling unit driveways should align with on-coming street at three-way intersections when possible.	**Yes.** The proposed vehicle entry to the project site would align with the entry of the Toscana residential subdivision, creating a four-way intersection.
II.k: Existing trees which have greater than a nine (9) inch trunk caliper should be incorporated into the design of project.	**Not applicable.** There are no existing trees on site.
II.l: Landscaped portions of set-backs, excluding sidewalk along public streets, should not be less than the height of the fence or sound wall.	**Yes.** The proposed fence height along the right-of-way is six feet, while the landscaped portions of this setback are 12-15 feet.
II.m: Landscaping areas shall not be less than three feet wide, between the curbs.	**Yes.** All new landscaped areas are proposed to be three feet or greater in width.
II.n: Subdivision perimeter walls should be minimized. Install wrought iron fencing at open end of cul-de-sacs, parks and open space.	**Yes.** Wrought iron fencing is proposed along all property lines visible from the public right-of-way or surrounding public areas.
III.a:A/C units should be substantially screened from view by way of a permanent screen or appropriately sized plant material.	**Conditionally.** A proposed condition of approval would require the developer screen all A/C equipment.
III.b: Detached carports and/or garages should have the same roof material and roof pitch as the main dwelling units.	**Conditionally.** A proposed condition of approval would require all garages and carports visible form the public right-of-way or park be finished with a roof pitch and material similar to that of the main residential buildings.
III.c: Projects with many buildings (greater than three) should provide a variety of building sizes and masses resulting in varying elevations from a streetscape perspective.	**Not applicable.** The proposed project includes a clubhouse, 12 apartment buildings, and nine garages; however, only three of the apartment buildings and the clubhouse would be visible form the right of way.
III.d: Bus stops should share the same architectural theme as that of the dwelling units.	**Not applicable.** The proposed project does not propose additional bus stops, as there is already a stop less than 500 feet away.

III.e: Parking lots should not dominate area adjacent to public streets. Structures and parking should be interspersed creating pockets of parking and variety from a streetscape point of view.	**Yes.** In order to reduce the visual impact of parking lots, the developer has located all resident parking within the interior of the development.
Green Building Design Guideline	**Preliminarily Meets Guideline?**
VI.C.1: For residential buildings without solar energy systems, roof surface should be covered with a green/living roof (> 50% of roof surface) or with a cool roof.	**Conditionally.**A proposed condition of approval would require all residential buildings and carports be prewired for solar photovoltaic panels.
VI.C.2: Uncovered rooftop expanses greater than 200 s.f. should be designed to be strong enough to support green roofs, community gardens, raised beds, and be accessible to occupants for gardening purposes.	**Not applicable.** The proposed project includes sloped roofs which do not provide space for community gardens. Additionally, the aesthetic value of the development would be hindered by inclusion of energy systems or water heaters along the roof.
VI.C.3: Roofs should have solar hot water systems (panels), solar photovoltaicpanels or low-profile wind energygeneration turbines and shouldinclude a sustainable plan formaintenance of such systems. Roofsshould be covered with a cool roofunder the energy generationstructures. Roof segments that areuncovered by energy systems shouldhost raised bed garden space orgreenhouses, a green/living roof, orcool roof surfaces.	
VI.C.4: Parking lot impacts should be minimized. Outdoor parking lots with more than 20 spaces and solar access over 75% or more of its surface area should install renewable energy systems on carport structures. Urban heat island impacts should be minimized through the use of shading (parking lot trees) or paving material design choices. Recommended choices include renewable energy systems on carport structures, shade trees, underground parking, and open-grid pavement systems.	**Conditionally.** The proposed landscape plans show the development would include parking lot trees for shading, and a proposed condition of approval would require all residential buildings and carports be prewired for solar photovoltaic panels.
VI.C.5: Electric vehicle charging units should be made available to tenants with electric vehicles. The parking spaces with charging units should be clearly marked with signs designating them for assigned tenants or electric vehicle use only.	**Conditionally.** A proposed condition of approval would require the developer prewire for a minimum of 12 electric vehicle charging stations, and install two stations.

VI.C.6: Pedestrian and bicycle paths should provide safe, visible, and unobstructed bicycle and pedestrian access between facilities, from facility entrances to bicycle and pedestrian routes (sidewalks and bicycle lanes), through parking lots, and between facilities and existing or planned bicycle and pedestrian routes.	**Yes.** The proposed project includes heavy landscaping, including 20 shade trees, along the frontage of West Leland Road. The project also includes a network of internal pathways throughout the site, is less than 500 feet from a bus stop, and less than a mile from a BART station. These factors, combined with proposed conditions of approval which would require the developer install a new six-foot-wide sidewalk along West Leland Road, bicycle parking facilities, and a bicycle repair station, would promote use of alternative modes of transportation.
VI.C.7: Convenient, visible, and secure bicycle storage facilities should be available on site, sufficient to accommodate demand of residents and guests.	
VI.C.8: Outdoor design and features should maximize landscaping water conservation.	**Yes.** The proposed landscape plans note that all planting areas shall be water by a fully automatic irrigation system. No turf will be used.

SUMMARY OF IMPACTS AND MITIGATIONS

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
LAND USE				
The project would result in the urban conversion of the largest of the five remaining unsubdivided properties in the city's Southwest Hills planning area, would result in a substantial westerly extension of urbanization, and would represent a significant loss of local open space values.	S	This impact would be unavoidable and unmitigable, unless the general plan development designations and corresponding project size and development area were substantially reduced and confined to the lower elevations of the site.	City	SU
Construction of the project and associated freeway, arterial roadway, and infrastructure improvements would have significant growth-inducing effects on the adjacent Alves, Seecon, DeBonneville, and Ridge Farm properties.	S	Project growth-inducing effects on the adjacent Alves, Seecon, DeBonneville, and Ridge Farm properties would be subject to similar individual rezoning, environmental impact documentation, and public review procedures to ensure that associated adverse impacts and related mitigation needs are adequately addressed.	City	LS
Conversion of the project site from agricultural rangeland to urban use would not constitute a significant adverse impact because none of the site is classified as prime agricultural land, the project represents a small portion of the countywide rangeland inventory, and the project	LS	No mitigation required.	None	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
would not contribute to a significant countywide cumulative decline in agricultural productivity.				
The project would extend suburban density residential development to an elevation 270 feet higher than the highest existing suburban development, and would extend "ranchette" lots up to an elevation approximately 500 feet higher than existing major subdivisions in the Pittsburg hills. The visual impacts of this project aspect, which would be significant, are described herein under *VISUAL FACTORS*.	S	This impact would be unavoidable and unmitigable unless the general plan Land Use map and/or policies were changed to confine development to lower elevations of the project site.	City	SU
The quality and livability of the approximately 309 closest project homes to the onsite PG&E and USA electrical transmission lines would be substantially diminished by views of these lines and associated towers.	S	Strategic planting of screen vegetation should be incorporated into the project landscaping plan to filter or block views of the transmission lines and towers from affected private lots, project travel corridors, and other key onsite vantage points. Even with these measures, however, these impacts could not be reduced to less than significant levels, given the height and prominence of the existing tower lines.	Project	SU
The proposed large lots located atop the southwest ridge area of the site do not assure adequate preservation of the *Open Space* area designated on the City of Pittsburg General Plan Land Use Map.	S	The approximately 95-acre *Open Space* area now shown on the project development plan as five large lots in Village N should be more effectively preserved as permanent undisturbed open space through use of a conservation easement or some similar legal instrument.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		This easement should cover at least 85 percent of each of these lots.		
The project would involve culverting and filling of onsite creek channels, which would be inconsistent with Pittsburg General Plan provisions calling for preservation and enhancement of creek open space, habitat, and recreational values.	S	See Vegetation and Wildlife section for mitigation of this impact.	--	--
The project could have land use compatibility impact problems with existing or future grazing activity on the Alves property (until the Alves site is converted to similar residential use, as anticipated in the city's general plan).	S	Land use compatibility impacts between project residential uses and existing or future grazing activity on the Alves property should be mitigated by implementation of the following measures: ▪ Warning prospective buyers of potential nuisances from grazing and other adjacent agricultural activity. ▪ Implementation of strict project leash laws to keep project dogs away from livestock and equestrian activities on adjacent properties. ▪ Construction of dog-proof fencing between project yards and adjacent agricultural operations.	Project	LS
The introduction of approximately 13 project homes in Village D near existing kennel and planned "animal center" activities on the	S	The same mitigations listed for impacts to the Alves property should be implemented.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
adjacent DeBonneville property may also result in future nuisance complaints from the new homeowners.				
The introduction of two or three project homes in Village D near existing grazing, stable, paddock uses, truck storage, and other ranching activities on the adjacent Ridge Farms property could result in future nuisance complaints from the new homeowners.	S	The same mitigations listed for impacts to the Alves property should be implemented.	Project	LS
The introduction of approximately 27 lots in project Villages G and N next to existing grazing activity on the adjacent Seecon property could also result in future nuisance complaints from the new homeowners.	S	The same mitigation listed for impacts to the Alves property should be implemented.	Project	LS
The construction of the project adjacent to Highway 4 could result in impacts on project residents related to air quality and noise.	S	See SEIR sections on Noise and Air Quality for recommended mitigation measures.	--	--
r The project would be located outside the r "Explosive Safety Quantity Distance" (ESQD) r areas established to indicate the minimum r required distance between inhabited structures r and weapons storage activities at the Concord r Naval Weapons Station.	LS	No mitigation required.	--	--

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Successful development and buildout of the project, and completion of related highway interchange, arterial roadway extensions, and other infrastructure extensions, would substantially increase pressures for development of other surrounding southwest Pittsburg lands, including the recently annexed Alves site, the pending DeBonneville and Ridge Farm annexations, and eventually other lands	S	Any such precedent-following actions would be subject to similar individual general plan amendment, rezoning, environmental impact documentation, and public review procedures to ensure that associated impacts and related mitigation needs are adequately addressed.	City	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
in the vicinity, including the adjacent Seeno property to the south. With the exception of the Alves property, urban development of these lands would require city approval of general plan amendments.				
POPULATION AND HOUSING				
The project would result in the construction of 2,938 residential units, including 1,363 single-family units, 1,236 apartments, and 339 townhouses. These residential units would accommodate an estimated total population of 7,730. Assuming project completion by the year 2005, the 2,938 new housing units would account for approximately 49 percent of the ABAG-projected increase of 6,010 households in the Pittsburg area between 1990 and 2005 and almost four percent of the countywide increase of 77,100 households during the same 15-year period.	LS	No mitigation required.	None	LS
Without the project, anticipated cumulative growth is expected to add approximately 3,489 residential units and approximately 8,025 persons to the city between 1990 and the year 2005, a 13 percent 1990-2005 increase. The project would increase this growth increment to a total of 6,427 new residential units and	LS	No mitigation required.	None	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
14,782 people, a 23 percent 1990-2005 increase.				
Based on the anticipated project home price and rental ranges described in this SEIR, none of the 2,968 project homes would be affordable to households in the *very low* income range, roughly 25 to 30 percent would be affordable to households in the *low* income range, roughly 45 to 50 percent would be affordable to households in the *moderate* income category, and roughly 25 percent would be affordable to households in the *above moderate* income category.	LS	No mitigation required.	None	LS

TRANSPORTATION

The project would be constructed in phases which would be dictated primarily by market forces. The SEIR traffic analysis is based on the conservative ("worst case") assumption that construction of the first 1,000 project units would be completed by 1998 ("Phase I"), the second 1,000 units by 2000 ("Phase II"), and the remaining 438 units by 2005 ("Phase III"). Local roadway improvements assumed to be completed before the end of each of these three project phases include:

Phase I (by 1998): Widening of Highway 4 from four to six lanes between Willow Pass Road-Concord and Bailey Road; associated reconstruction of the Willow Pass Road and Bailey Road interchanges, extension of BART to Bailey Road, extension of Leland Road west into the site, but not yet connecting with Avila Road, and extension of Willow Pass Road over Highway 4 through the site to "stub" at the southern project boundary.

Phase II (by the year 2000): Leland Road would be connected to Avila Road.

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation

Phase III (by the year 2005): No additional improvements.

The proposed project residential mix would be expected to generate approximately 9,550 daily two-way trips on an average weekday following occupancy of Phase I; 7,560 additional trips after Phase II; and 5,910 additional trips after Phase III; for a total of 23,020 average daily trips. Project traffic distribution would occur as shown in SEIR Table 17 (section IV.C.2). Specific "base case" and project traffic impacts are described below (the term "base case" refers to anticipated future roadway operational conditions at years 1998, 2000, and 2005, without the project).

Base Case Traffic Impacts--Highway 4 and Ramps

Base case traffic volumes without the project would result in significant operational impacts on westbound Highway 4 in the AM peak hour west of Willow Pass Road-Concord by 1998; westbound east of Bailey Road by 2005; and on the westbound on-ramp from southbound Willow Pass Road-Pittsburg by 1998. Similar impacts would occur eastbound during the PM peak hour east of Bailey Road by 1998.	S	By 1998, require fair-share contribution from all "base case" developments for an additional freeway lane in each direction on Highway 4 west of the Willow Pass Road-Concord interchange to the Port Chicago interchange, an additional freeway lane in each direction east of Bailey Road to Railroad Avenue or beyond, and a second southbound Willow Pass Road-Pittsburg to westbound Highway 4 on-ramp lane. A short additional auxiliary lane should be provided to the west of this on-ramp lane merge area with the freeway mainline.	All "base case" development	LS

Base Case Traffic Impacts--Non-Freeway Road Segments

Base case traffic volumes at local non-freeway midblock roadway segments without the project would result in significant operational impacts in the AM peak hour by the year 2005 on Bailey Road, south of Leland Road (borderline	S	By the year 2000, the city should require fair-share contributions from all benefitting "base case" developments to improve Bailey Road between Leland Road and the City of Concord (i.e., selected realignments to reduce curves	All "base case" development	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
operating conditions), and on westbound Willow Pass Road-Pittsburg, east of Port Chicago Highway (borderline operating conditions). Similar impacts would occur during the PM peak hour on Bailey Road, south of Leland Road by the year 2000, and on Willow Pass Road-Concord (borderline operating conditions) by the year 2005.		and grades, widening of travel lanes, the addition of paved shoulders, and ideally, the addition of two more travel lanes). By the year 2005, the city should require fair-share contributions from all benefitting "base case" developments for the widening of Willow Pass Road-Concord from two to four lanes from Avila Road through the U.S. Naval Weapons Station.		
Base Case Traffic Impacts--Intersections				
Base case traffic volumes without the project would result in significant operational impacts in the AM and PM peak hours at the Willow Pass Road-Concord/Avila-Leland Road intersection by the year 2000 (i.e., unacceptable delays for left turns from Avila-Leland Road). Signal warrant criteria would be reached at the Willow Pass Road extension/Highway 4 eastbound ramps intersection by 1998, and at the Willow Pass Road-Concord/Avila-Leland Road intersection by 2000.	S	By the year 1998, the city should require fair-share contributions from all "base case" developments for the new signal that would be warranted at the Willow Pass extension/ Highway 4 eastbound off-ramp intersection. By the year 2000, the city should require similar fair-share contributions for a traffic signal at Avila-Leland/Willow Pass Road-Concord intersection, for left and right turn deceleration lanes on the Willow Pass Road-Concord intersection approaches, and for the widening that would be needed on the Avila-Leland intersection approaches to provide separate right and left turn lanes. By the year 2005, the city should require similar contributions for a traffic signal at the Avila-Leland Road/Willow Pass extension intersection.	All "base case" development	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Project Traffic Impacts--Highway 4 and Ramps				
Project traffic would create significant additional operational impacts on Highway 4 in the AM peak hour westbound from the Willow Pass Road extension-Pittsburg to Willow Pass Road-Concord, and westbound, west of Willow Pass Road-Concord, by 2005.	S	By 2005, the project should provide a 200-to-300 space park-and-ride lot (two to three acres) adjacent to or near the Willow Pass Road-Pittsburg/Highway 4 interchange. The applicant should also coordinate project internal street design with local transit agencies to provide bus stops throughout the development, and should provide TSM/TDM information to all project residents.	Project	LS
		If the ongoing CCTA Highway 4 improvement project provides pavement width for only six lanes plus auxiliary lanes, the city should require a fair-share contribution from the project and all other benefitting developments towards the addition of one freeway lane in each direction (possibly an H.O.V. lane) from the Willow Pass Road-Pittsburg interchange to west of the Willow Pass Road-Concord interchange by 2005. If a mechanism is not established by the CCTA to collect such contributions, these impacts would be significant unmitigable impacts.	Project and all benefitting developments	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Project Traffic Impacts--Non-Freeway Road Segments				
r The applicant does not control access across r the Alves property. Without this access, the r project would result in significant adverse r operational impacts to the local circulation r system.	S	The applicant should construct access to the project through the Alves property. Without the access, the project should not proceed.		
Project traffic would create marginal operating conditions during the PM peak hour on Bailey Road south of Leland Road by 1998, and more than a five percent increase in traffic to a roadway with a pre-existing LOS E would occur by 2000. Project traffic would also create significant additional operational impacts during	S	The City should require fair-share contributions from the project and other benefitting developments for the widening and improvements needed along Bailey Road from Leland Road to the City of Concord by the year 2000. The City should require similar fair share contributions for the widening of Willow Pass	Project and all benefitting developments	LS

B.5

B.6

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
the AM peak hour on Bailey Road, south of Leland Road by 2005. Significant operational impacts would also occur on Willow Pass Road-Concord, south of Avila Road by 2005.		Road-Concord from two to four lanes south of Avila Road by 2005.		
Project Traffic Impacts--Intersections		#14		
B.7 Project traffic would significantly aggravate the pre-existing need for signals at the intersection of the Willow Pass Road extension/Highway 4 eastbound ramps intersection by 1998, and the of Willow Pass Road-Concord/Avila-Leland Road intersection by 2000.	S	The project should provide a fair-share contribution towards the signalization of the Willow Pass Road-Pittsburg/Highway 4 eastbound ramps intersection by 1998, provide similar contributions towards the signalization and geometric improvements needed at the Avila-Leland/Willow Pass Road-Concord intersection by 2000, and provide a right turn lane on the eastbound Leland Road approach to Bailey Road by 2005.	Project and all benefitting development	LS
B.8 The project would also contribute to cumulative traffic impacts throughout the citywide roadway system beyond the specific intersection and roadway segments analyzed in this SEIR.	S	#15 The project should be required to pay the Traffic Mitigation Fee being considered for adoption by the Pittsburg City Council in June of 1992 to offset citywide traffic impacts.	City of Pittsburg, all citywide developments	LS
Regional Impacts				
B.9 r r r r r r r The project would incrementally add to the pre-existing base case need for widening of Highway 4 to the east through the Antioch area.	S	The project should be required to pay a regional traffic impact fee which should be established by the Contra Costa Transportation Authority. If such a fee is not established prior to issuance of project building permits, these impacts would be unmitigable significant impacts.	CCTA, City of Pittsburg, adjacent jurisdictions, all regional development	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Project Onsite Impacts				
The westerly portion of the project would have only one access road for use during an emergency until the connection of Leland Road to Avila Road is completed as anticipated in Phase II.	S	Provide an interim emergency access connection from the west end of Leland Road on the south end of Willow Pass Road to the existing local street system.	Project	LS
The project Village A connection to Avila-Leland Road is proposed too close to the Willow Pass extension/Leland Road intersection and would create safety problems related to conflicting vehicular movements between these two intersections.	S	Redesign the project to eliminate the Village A street connection to Avila-Leland Road near the Willow Pass Road extension intersection.	Project	LS
The intersection of Avila-Leland Road/Willow Pass Road extension would operate at LOS E by 2005 in the AM peak hour. During the PM Peak hour, the intersections of Avila-Leland Road/Willow Pass Road extension, Avila-Leland Road/Village A and M access, Avila-Leland Road/Village B-Park access, and Avila-Leland Road/B Street-Village C access would experience unacceptable levels of service by the year 2000. The Avila-Leland/Willow Pass Road extension intersection would also warrant a traffic signal by the year 2000.	S	To mitigate onsite intersection impacts, signalize the Avila-Leland/Willow Pass Road extension intersection by the year 2000 and signalize the Avila-Leland Road intersections with Street B/Village C access and with the Village A and M access drives by 2005.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
SOILS AND GEOLOGY				
The proposed preliminary project grading plan involves extensive "mass grading" over most of the 639-acre, hilly site in order to realize the proposed development capacity and repair existing landslides. The applicant estimatse that betweeen 7.5 and nine million cubic yards of earth would be moved to accommodate the project. The plan is expected to involve cuts up to 120 feet deep and 180 feet high, and fills up to about 125 feet deep and 130 feet high. The maximum inclination of both cut-and-fill slopes would be 3:1.				
Expansive soils on the site contain moderate to high shrink/swell potentials which, if not property engineered for, could damage project homes, roads, and infrastructure.	S	Grading/foundation designs should be prepared for each lot based on a standard soils test performed by a qualified geotechnical professional on each lot after mass grading has been completed, and an associated report recommending appropriate lot-specific foundation design, soil preparation, and selective grading measures. A drainage plan should be prepared by a registered civil engineer for each lot in compliance with the provisions listed in SEIR section IV.D.3.b(1) to avoid impacts of expansive earth materials due to improper surface drainage.	Project	LS
Soils on the site are also susceptible to severe stream, gully, and sheet erosion, particularly during project construction operations.	S	A project erosion control plan should be prepared and implemented by the project civil engineer and a qualified geotechnical professional. The plan should include construction of "V"-lined ditches on all graded slopes, should designate all drainageways as	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		public storm easements, should incorporate ABAG-recommended erosion control measures, and should incorporate *best-management* construction practices.		
Project hillsides are prone to slope stability problems such as landslide activity, slope creep, and debris flow.	S	In order to mitigate the specific slope stability impacts identified in the SEIR, the following measures must be completed by a qualified geotechnical professional prior to subdivision approval: ▪ Preparation of a detailed geologic map. This map should identify every instance of past landsliding, earthflows, slumps, debris flows, debris basins, erosional gullies, and every occurrence of colluvial swales, soil creep, rock falls, and adversely oriented bedding. Test borings and/or exploration pits should be used to evaluate all areas of unstable material. ▪ A slope stability analysis should be completed for critical cut slopes, fill slopes, and natural slopes. ▪ A detailed slope stabilization plan should be prepared. This plan should include the measures listed in section IV.D.3.e(1) of this SEIR.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Project homes, appurtenant structures, retaining walls, roadways, and public infrastructure could be damaged by reactivation of existing landslides on the site.	S	The slope stabilization plan described above should give particular attention to onsite landslide areas. Prior to subdivision approval, a detailed construction plan should be prepared, including detailed sections, limits of work, and grading specifications for all landslides, potential landslides, and off-site landslides.	Project	LS
Project homes, appurtenant structures, retaining walls, roadways, and public infrastructure could also be damaged by slope creep and debris flow.	S	The slope stabilization plan should include specific recommendations, including setbacks from slopes susceptible to slope creep, to offset potential damage to project features.	Project	LS
If project subsurface drainage improvements at cut and fill slopes are not properly maintained, they could cease to function as designed, causing slope stability impacts.	S	See General Mitigations at the end of this section.	Project	LS
The extensive and large amounts of fill proposed for the site, in combination with the number of compressible deposits on the site, make the project particularly subject to damage due to differential fill settlement.	S	To mitigate the potential effects of differential settlement: (1) a series of laboratory settlement analyses should be completed for soils on the site prior to subdivision approval; (2) all fill should be placed so as to minimize settlement; (3) subsurface drains should be placed under all fills; and (4) a fill settlement monitoring program should be implemented.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Damage to structures, as well as slope and stream bank failure, could occur within the project as a result of seismically-induced groundshaking. Groundshaking could also cause landslides, differential fill settlement, ground fissures, or liquefaction, effects which could also significantly damage project structures and infrastructure.	S	Seismic-related hazards could be offset through completion of the following: ▪ Prior to subdivision approval, an analysis by a qualified geotechnical professional of the site susceptibility to earthquake-induced landsliding, fill settlement, development of ground fissures, and liquefaction, and the preparation of detailed recommendations to address identified hazards through engineering solutions or the avoidance of hazardous areas. This analysis should be based on test borings and laboratory tests. ▪ Prior to subdivision approval, an analysis of possible sympathetic displacement along the fault related features of the site, and the preparation of recommendations for appropriate setbacks from these features. ▪ Construction of project buildings and foundations, underground utilities, and other improvements in compliance with all public agency requirements.	Project	LS
Project-grading (placement of fill, location of cuts) could affect existing onsite groundwater conditions (see Table 30, SEIR section IV.D.2), resulting in slope instability, differential fill settlement, seepage, and other geotechnical hazards. Also, project landscape irrigation could result in increased infiltration into the	S	These groundwater-related geotechnical hazards could be offset by construction of a subsurface drainage system in all fill areas (especially all springs or streams to be covered), construction of trench drains across all onsite valleys in which fill is proposed to extend offsite, subdrainage measures as	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
groundwater system, resulting in similar geotechnical hazards.		needed at utility trenches, design of a surface drainage system which will not create adverse impacts on the groundwater regime, and education of project homeowners regarding the hazards of over-irrigation of landscape areas.		
The hauling of excess dirt from the site due to a possible grading cut-and-fill imbalance could result in heavy offsite truck traffic during the project construction period, and associated offsite and air quality impacts relating to dust particles.	S	Onsite grading should be balanced to the extent possible to reduce or eliminate necessary offsite hauling of dirt.	Project	LS

The SEIR also makes several general recommendations to facilitate effective mitigation of all identified impacts. These recommendations include: (1) the preparation of a detailed construction phase geologic map to verify that geologic conditions are as expected; (2) completion of progress and completion reports with a geologic mapping of all cut-and-fill pads and slopes, and also showing the installed location of subdrainages and cleanouts; and (3) the implementation of ongoing maintenance and repair programs for all geotechnical-related mitigation elements of the project, funded by a maintenance assessment district.

DRAINAGE AND WATER QUALITY

The project proponents have designed a drainage system which includes detention facilities designed to limit offsite drainage runoff peak runoff to levels stipulated by the Contra Costa County Flood Control and Water District. The design of the system has been approved by the CCCFCWCD.	LS	No additional mitigation is required.	None	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Although the total volume of runoff from the site would increase, the reduction in peak discharge rates created by the proposed drainage system, and the existing capacity of the downstream drainage system, would be expected to prevent the project from creating significant downstream drainage facility impacts due to increased volumes.	LS	Prior to Final Map Approval, a hydrology report describing the project drainage system design details must be submitted to all affected agencies. The report must present a complete hydraulic analysis of discharge from the project beneath Highway 4, and the capacity of the proposed retention basins.	Project	LS
As explained herein under Soils and Geology, the project could cause significant erosion and related impacts due to steep slopes, the susceptibility of site soils to erosion, and the large quantity of grading proposed.	S	The project grading plan should include an approved drainage and erosion control plan and an associated ongoing inspection program, as described in SEIR sections IV.D.3 (Soils and Geology) and IV.E.3.b (Drainage and Water Quality).	Project	LS
The conversion of the site from grassland to suburban type development would increase the amount of non-point urban pollutants flowing from the site into Shore Acres Creek and eventually into Suisun Bay.	S	In anticipation of the NPDES stormwater discharge permit requirements to be implemented in the near future, the project should include provisions for street cleaning, oil and grease separators for large parking areas, infiltration areas, and trash racks.	Project	LS
VISUAL				
The proposed conversion of hillside rangeland to urban use would be consistent with the Pittsburg General Plan Land Use Map, but	S	The visual impact associated with the proposed change in land use could not be mitigated to levels considered less than significant.	Project	SU

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
would represent a significant adverse visual impact on the rural, open space character of the distinctive Southwest Hills landscape.		However, the following measures would substantially reduce identified visual impacts: (1) Require that all project construction occur at elevations below the major ridgeline portion of the site (i.e., below approximately the 750-foot contour); (2) Incorporate appropriate controls on architecture, grading, introduced landscaping, future tree removal, ongoing landscape maintenance, and building materials and colors (including roofing) in the final project design (CC&Rs, etc.); (3) Incorporate architectural design standards in the project final design to ensure against visually conspicuous residential structures, particularly for possible custom homes in Village N; (4) Incorporate provisions and controls in the project final design related to common and private landscaping as described in SEIR section IV.F.2.a(4); and (5) Incorporate provisions and controls in the final project design to reduce the effects of light and glare, as described in SEIR section IV.F.3.a(5).		

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
The location of residential uses and other features in proximity to the two parallel PG&E electrical transmission lines and associated towers would result in adverse visual impacts for residents and users of those project components closest to the lines.	S	Identified visual impacts associated with the PG&E electrical transmission lines and towers could be reduced, although not to less than significant levels, by the strategic location of trees and other landscaping.	Project	SU
The generally consistent building setbacks, home types, and building heights, in combination with the garage doors of similar design, narrow residential streets, limited front yard setbacks, and large percentage of two story homes, could result in visual monotony and an internal sense of excessive density and enclosure.	S	The final project design should include more variation in unit design, the inclusion of more single-story elements in two-story homes, the introduction of more single-story homes at selected locations along each street, and the introduction of unit designs which do not emphasize the garage door in the front elevation.	Project	LS
The project would significantly change the character of the west "gateway" to the Pittsburg community as viewed from eastbound traffic on Highway 4 (see Figure 38 in SEIR section IV.F.2), and would also dramatically change the view of the site for westbound traffic on Highway 4 (see Figure 39).	S	Implementation of mitigation measures described in SEIR section IV.F.3 relating to: (1) increased tree planting; (2) implementation of an effective landscaping plan for Villages A, B, C, and M; (3) the use of subdued building materials and colors (including roofing); and (4) provision of dense landscaping in open space ares in Villages B, C, and M, would substantially reduce project adverse visual impacts on views from Highway 4, although not to less than significant levels. Preservation of the southern portion of Shore Acres Creek and	Project	SU

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		incorporation of the creek into the project design would also reduce visual impacts.		
Project homes in Villages L, J, and M would be most visible from viewpoints in the Sea Breeze and Mota Ranch subdivisions. Project impacts on southerly views from these two subdivisions would be significant due to the close proximity, the large portion of the site visible from these locations, and the degree of contrast between the intensive new project suburban landscape and the distinctive existing hillside landscape (see Figure 40 in section IV.F.2).	S	Implementation of all measures listed above and below would substantially reduce impacts on views from these locations, although not to less than significant levels. The preservation of the general plan designated "major ridge" and *Open Space* area of the site would also be particularly effective.	Project	SU
Views of the project from the Shore Acres community would be limited by intervening urban development and landscaping. However, loss of the visual relief currently provided to this community by the project site ridgeline backdrop to the south would be considered a significant adverse visual impact.	S	Implementation of all measures listed above and below would substantially reduce project impacts on views from locations in the Shore Acres community, although not to less than significant levels. The preservation of the general plan designated "major ridge" and *Open Space* areas would be particularly important.	Project	SU
Project visibility from the unincorporated West Pittsburg community would be limited primarily to vantage points along Willow Pass Road and along those diagonal, northeast-southwest oriented residential streets north of Willow Pass Road which are in line with the project site. Loss of the visual relief currently provided by	S	Implementation of all measures listed above and below would substantially reduce impacts on views from West Pittsburg vantage points, although not to less than significant levels. The preservation of the general plan designated "major ridge" and *Open Space* areas would be particularly important.	Project	SU

S = Significant
LS = Less than significant
SU = Significant unavoidable impact

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
the ridgeline backdrop of the project site would be considered a significant adverse visual impact.				
Views of the project site from Evora Road (photograph 1 in SEIR section IV.F.1) and Avila Road would also undergo a dramatic change. The amount of traffic on Evora Road, the extent of views of the site from this route, and the distinctly rural existing character of the area would make the project impacts to these views particularly significant. Due to the relatively small amount of traffic on Avila Road, project impacts on Avila Road views would not be considered significant.	S	Mitigation relating to use of subdued building materials and colors, and common landscaping, would be effective in substantially reducing project impacts on views from Evora Road and Avila Road-Leland Avenue. Mitigation relating to increased overall landscaping,; landscaping in Villages A, B, and C; and use of subdued roofing materials would be particularly important for reducing impacts on views from Evora Road.	Project	SU
The development of the Oak Hills South subdivision and the Alves property, in combination with the project, would represent a major westerly extension of Pittsburg urbanization, a significant reduction in the existing hillside landscape, a significant loss of open space, and a corresponding significant cumulative visual impact. The potential future conversion of the adjacent DeBonneville, Ridge Farm, and Seecon properties to urban use would further increase the cumulative adverse visual impact.	S	Each additional development in the project vicinity is currently undergoing or will be subject to its own environmental review. The visual impacts and mitigation needs related to each of these projects should be addressed in each project review. Nevertheless, the cumulative adverse visual impacts of these development expectations, although substantially reducible through good design, could not be mitigated to less than significant levels.	City	SU

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
The development plan includes five 20-acre+ lots in the ridgeline area in the upper southwest portion of the project site which is designated by the general plan as *Open Space.* Inadequate control of the development and use of these lots would be in conflict with the intent of this general plan land use designation and would create a significant adverse visual impact.	S	Any private ownership of the designated *Open Space* area should be subject to permanent prohibition on future development or visual impacts on at least 85 percent of the ownership through application of a conservation easement or some similar legal instrument.	Project	LS
The project site plan may not be consistent with the city general plan policy to retain "major ridgelines" as open space. Project homes are proposed in an area of the southwest corner of the site designed by the Pittsburg General Plan as a "major ridgeline."	S	The layout of Neighborhood N should be revised as warranted to achieve project consistency with the "major ridgeline" and *Open Space* designations of the city general plan.	Project	LS
VEGETATION AND WILDLIFE				
The project would involve removal of most of the site's existing vegetation, including over 500 acres of common annual grassland. The direct loss of this grassland vegetation would not be biologically significant, but would contribute to a significant regional cumulative loss of open wildlife range.	S	The project contribution to these regional impacts could be reduced, but not to less than significant levels, through appropriate revegetation and landscaping of the site with emphasis on native plants, and restoration of site riparian and wetland areas.	Project	SU
No sensitive plant species would be affected by the project.	LS	No mitigation is required.	None	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
No significant impacts to common or sensitive wildlife species have been identified.	LS	No mitigation is required.	None	LS
The project would result in the loss of 0.75 acre of riparian thicket along Shore Acres Creek, and 3.5 acres of jurisdictional wetlands.	S	The project should be redesigned to preserve the identified corridor of riparian and other vegetation along the northern section of Shore Acres Creek, and the riparian herbaceous meadow in the northwest corner of the site. Alternately, these sensitive habitats should be re-created elsewhere on the site (i.e., in a designated park or open space area) to the satisfaction of the US Army Corps of Engineers and the State Department of Fish and Game. The wet meadow to be displaced by the eastbound offramp of the new freeway interchange should be re-created elsewhere on the site (i.e., in a designated park or open space area), to the satisfaction of the US Army Corps of Engineers.	Project	LS
These stream and wetland fill aspects of the project would require a Section 404 permit from the US Army Corps of Engineers (COE) and would require a Streambed Alteration permit from the Department of Fish and Game (DFG).	S	As a condition of project approval, the applicant should be required to submit to the city written documentation showing that all COE and DFG requirements have been met with regard to Section 404 and the Streambed Alteration permitting process.	Project	LS

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SU = Significant unavoidable impact

Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
MUNICIPAL SERVICES				
Schools				
The project would generate an estimated 423 additional elementary school, 173 middle school, and 202 high school students. This additional enrollment would create significant impacts on the capacity of these Mount Diablo Unified School District elementary and middle schools serving the project area.	S	School enrollment impacts would be partially mitigated by the existing school impact fees. The project should also participate in a future added capital facilities program which would include (in addition to the payment of existing fees) payment of any additional impact fees established by the MDUSD under current state guidelines, and establishment of a project Mello-Roos District to fund the project's fair share of necessary cumulative school improvements. Project participation in this mitigation program could be reduced in exchange for financing or construction of a new elementary school on the project site.	Project, City, MDUSD	LS
Water				
The project would require construction of the water distribution system planned for the site by the city's Water Master Plan Update.	S	The project would be responsible for all water distribution system improvements required to serve the project, and should also constitute a project fair share toward the cost of recent water treatment plant expansion and raw water storage facilities.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Sewer				
The project would require the construction of the planned sewer collection system from the project to the existing West Pittsburg interceptor, as anticipated by the Delta Diablo Sanitation District (DDSD). The DDSD has established a development fee to fund this construction.	S	The project would be required to pay the sewer development fees for DDSD Zone 1. Applicant completion of a sewer capacity study to determine the size of the project sewer extension lines and points of connection to the DDSD main facilities would also be required.	Project	LS
Police Service				
The project would be subject to longer than typical emergency response times and would generate a need for ten additional sworn police officers and five non-sworn personnel at project buildout.	S	A new, separate, fully staffed, southwest area beat should be established to meet the demands of the project and other cumulative growth in the city's southwest area. The police department also recommends that the project provide (1) adequate, well lit, accessible, and safe parking lots for proposed multi-family buildings, (2) streets which meet city standards, and (3) parks which do not abut side and/or rear yards of residential dwellings.	City	LS
Fire Protection Service				
The project would significantly increase the population located outside the existing range of adequate Riverview Fire Protection District (RFPD) emergency response time. The substantial new population generated by the	S	A new fire station should be constructed at a location which can meet the RFPD response time standard. The project should provide its fair share of those local fire protection capital improvement and operating expenses not	RFPD, Project fair share	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
project would also create the demand for a new fire station (and associated equipment) in closer proximity to the site, and the need to fund ongoing operation of that station. Payment of the established Fire Facilities Fee for capital improvements and the Annual Benefit Assessment Fee for annual operations would only partially fund these necessary increases in capital facilities and ongoing operations require by the project.		covered by existing fees. The project should also incorporate the additional development design measures recommended by the RFPD which are listed in SEIR section IV.H.5.c(3).		
Parks and Recreation				
To meet city per-capita park standards, the project would need to include approximately 15.5 total acres of community park and 23 total acres of neighborhood parks. The proposed combination of one 36-acre community park, two "community recreation areas" totalling eight acres, and three one-acre village parks would meet the total acreage park needs of project residents and would provide adequate park facilities within walking distance (i.e., one-half mile) from all project lots, provided that the various park facilities are fully improved and completed in a sequence that adequately corresponds to project population needs.	LS	The project must complete proposed park and recreation facilities in a sequence that relates adequately to the needs of project residential phasing; i.e., at least one park facility which is equivalent to a neighborhood park (5 acres or greater in size) should be constructed with the first three project villages.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Library Services				
The project would increase the total population served by the Pittsburg and Concord branches of the Contra Costa County Library system by four and one-half percent. This population increase would reduce the already inadequate library space per capita and books per capita ratios at both of these branches.	S	The project should contribute additional library facilities equal to the need generated by the project. Based on nationally accepted per-capita standards, this goal would require the addition of approximately 3,865 square feet of library space, and the addition of 15,460 volumes of books to the local branches of the county library system. The project impact on library space and volumes per capita ratios could also be offset by adequate provision of a fully-equipped bookmobile.	Project	LS
NOISE				
Noise levels outside of proposed project homes closest to Highway 4, Willow Pass Road, and West Leland Road would exceed the normally acceptable exterior L_{dn} standard of 60 dBA for residential development and the interior standard of 45 dB L_{dn} when windows are open.	S	To mitigate exterior noise level impacts, an eight-foot high landscaped berm, or an 11-foot sound wall, or some combination of the two, should be constructed along Highway 4; a seven-foot sound wall should be constructed on both sides of the Willow Pass Road extension (or the project could be redesigned to allow room for a noise berm); and individual decks and patios on those project homes adjacent to Leland Road should be constructed with fences adequately designed to mitigate local noise impacts to each individual affected dwelling unit.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		First floor interior noise levels would be mitigated by those measures described above for exterior noise levels. Second story interior spaces exposed to 60 dB exterior noise levels should be provided with mechanical ventilation so that windows can be closed. In some cases, sound rated glazing may be required.		
No significant offsite noise impacts related to project-generated traffic have been identified.	LS	No mitigation is required.	None	LS
No significant construction period noise impacts on offsite land uses have been identified.	LS	No mitigation is required.	None	LS
Because the development would be phased, construction noise from later phases would impact project homes constructed in earlier phases.	S	To reduce identified impacts, project construction should be limited to weekdays between 8:00 AM and 5:00 PM. All equipment used in the project should be muffled and maintained.	Project	SU
AIR QUALITY				
Construction of the project would generate significant quantities of airborne particulate matter (PM-10) which could adversely affect existing or future residential areas near the project site.	S	Construction period air quality impacts should be reduced through implementation of the construction practices described in SEIR section IV.J.3(a).	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Project generated emissions of carbon monoxide would not result in local concentrations above state and federal standards.	LS	No mitigation is required.	None	LS
The project would result in emissions of regional pollutants (i.e., pollutants which affect the entire San Francisco air basin) exceeding 150 lbs. per day for two precursors of ozone (reactive organic gases, and oxides of nitrogen).	S	Project impacts on regional air quality could be reduced, but not to less than significant levels, by locating one or more neighborhood commercial centers within the project; by provision of expanded pedestrian trail, bicycle and transit facilities within the project to encourage alternative transportation options; and by restricting the number of fireplaces and woodstoves per household, and/or by requiring use of EPA-certified woodstoves or fireplace inserts.	Project	SU
CULTURAL RESOURCES				
Project and grading could damage prehistoric or historic resources located around the Rogers Ranch complex.	S	An archaeologist (familiar with the history of the site) should be present to monitor site clearing and grading to identify and remove any significant in this area and 19th century artifacts discovered in this process. All known and discovered historic resources should be catalogued and described in a summary archaeological report which would constitute preservation of the site's cultural resources in written form.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Project grading and construction could also damage prehistoric and/or historic resources at the Highway 4/Isolate 1 location.	S	This location should be mechanically tested under the supervision of a qualified archaeologist for any evidence of buried prehistoric deposits before project grading and construction begin. If any resources are discovered, construction should be halted and further evaluation through hand excavation should occur to assess the significance of the finds and to formulate necessary further mitigation measures.	Project	LS
Project grading and construction could damage prehistoric and historic resources at the Alvernaz Ranch Complex location.	S	Historic research and an architectural evaluation for this location, plus backhoe testing, should be completed by qualified cultural resource professionals before any grading or construction begins. The results of the research should be preserved in written form. In addition, if any resources are discovered during the backhoe testing, a specific archaeological mitigation program should be formulated for this location depending on the nature of the find.	Project	LS
Project grading and construction could also damage prehistoric and historic resources at the identified possible barn/structure location along the minor drainage channel in the northeast corner of the site.	S	The mitigations described above for the Alvernaz Ranch Complex location should also be implemented for this location.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
PUBLIC HEALTH AND SAFETY				
Electrical Transmission and Distribution Line Impacts				
To date, there is no conclusive evidence regarding the possible health risks from power line EMF exposure. However, there is the potential that project residents could be exposed to power line EMFs that could adversely affect their health. There are approximately 73 lots or units proposed within 150 feet of the edge of the 230 kV PG&E transmission line easement and approximately 77 units or lots located within 100 feet of the PG&E 115 kv line easement. Future occupants of these units could be exposed to potential health risks related to prolonged EMF exposure.	S	Although no specific setback or other criteria exists beyond conventional PG&E easement boundaries, the following measures are suggested in this SEIR, based primarily on current state standards for school facilities: *Setbacks.* The applicant should endeavor to redesign the project such that proposed residential lots should be located at least 150 feet from the edge of the 87.5-foot 230 kV transmission line easement and 100 feet from the edge of the 50-foot 115 kV transmission line easement. This measure would require the relocation of up to an estimated 150 proposed residential lots and units. *Disclosure.* Prospective project residents of all project homes within 200 feet of the 230 kV line, 150 feet of the 115 kV line, and 100 feet of the 69 kV line easement edges should be notified in writing by the applicant of the potential EMF health risks associated with such lines. This could be achieved by requiring the project proponent to include such disclosures in	Project	Unknown

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
		the sales and rental materials to be signed by future project residents.		
Natural Gas Well Hazard Impacts				
The applicant plans to abandon the existing gas wells as the project is developed. Unless these gas wells are abandoned to current Department of Oil and Gas (DOG) standards specified in Section 1723 of Title 14 of the California Code of Regulations, future residents could be subject to the risk of explosion.	S	The following two mitigation measures should be implemented to reduce natural gas well hazard impacts to a less than significant level: *Remediation.* Pursuant to Section 3208.1 of the Public Resources Code, the applicant would be required to contact DOG's Woodland district office to determine whether wells have been abandoned to current abandonment standards (as required in Section 1723 of Title 14 of the California Code of Regulations), and whether additional remedial work on a particular well would be necessary. *Avoid Abandoned Wells.* Revise the site plan to avoid construction of residential units over the wells. If avoidance is not possible, a State Division of Oil and Gas (DOG)-approved vent systems should be installed to collect and disperse any gas vapors that may be emitted from the wells.	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
Natural Gas Well Access Impacts				
Early phases of development could block access to gas wells located in portions of the site that would be developed in latter phases of the project, a potentially significant impact assuming that there is additional gas to be extracted.	S	Adequate access to the active well sites should be maintained. Access should be wide enough to allow large mobile rigs to access the active well sites.	Project	LS
Natural Gas Well Noise Impacts				
Noise associated with gas well compressors operating near earlier phases of development could disturb project residents. This could result in significant noise impacts prior to project build-out.	S	Noise from compressors used on gas wells that could adversely affect project residents should be reduced by implementing the following measures: *Limit Hours of Operation.* Limit noise-generating pumping activities near project residences to daytime, weekday (non-holiday) hours (8:00 AM to 5:00 PM). *Shield Equipment.* Shield stationary noise-generating equipment with plywood barriers in order to reduce noise impacts.	Project	LS
Natural Gas Pipeline Impacts				
PG&E has a ten-foot natural gas pipeline easement at the southwestern corner of the site. Ranchette Lot 1268 proposed in Village	S	Ranchette Lot 1268 in Village N at the southwestern corner of the site should include the necessary building setback and other	Project	LS

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Impacts	Potential Significance Without Mitigation	Mitigation Measures	Mitigation Responsibility	Potential Significance With Mitigation
N in the southwestern portion of the site would encroach into this pipeline easement.		limitations necessary to avoid encroachment into PG&E's gas pipeline easement.		
Fuel Storage Tank Impacts				
A small fuel storage tank is located near one of the existing natural gas wells in the northern portion of the site. If fuel spills or leaks have occurred and soil around the tank is contaminated, construction workers could be exposed to contamination during project site preparation work and future residents could be exposed to contamination over the long-term.	S	The fuel storage tank should be removed, the soils around the tank should be tested for contamination and, if necessary, the soil cleaned to ensure that it is devoid of any contamination from the tank. If contaminated soils are discovered, a remediation plan should be submitted to and approved by the Toxic Substances Control Division of the California Environmental Protection Agency (Cal-EPA). Implementation of an approved remediation plan would be expected to reduce impacts to a less than significant level.	Project	LS

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

NOTICE OF PUBLIC MEETING

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

DATE: **April 25, 2017**
TIME: **7:00 p.m.**
PLACE: **City Council Chamber at City Hall**
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Esperanza Apartments at San Marco (Village M), AP-13-932 (DR).

This is a request for design review approval of plans to construct a 318-unit apartment complex along the south side of West Leland Road, immediately west of Tomales Bay Drive. The project consists of 12 three-story buildings and site improvements on 13.3 acres in 'Village M' of the San Marco PD (Planned Development, Ordinance No.12-1362) District. Assessor's Parcel No. 097-550-018.

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

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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 being notified.

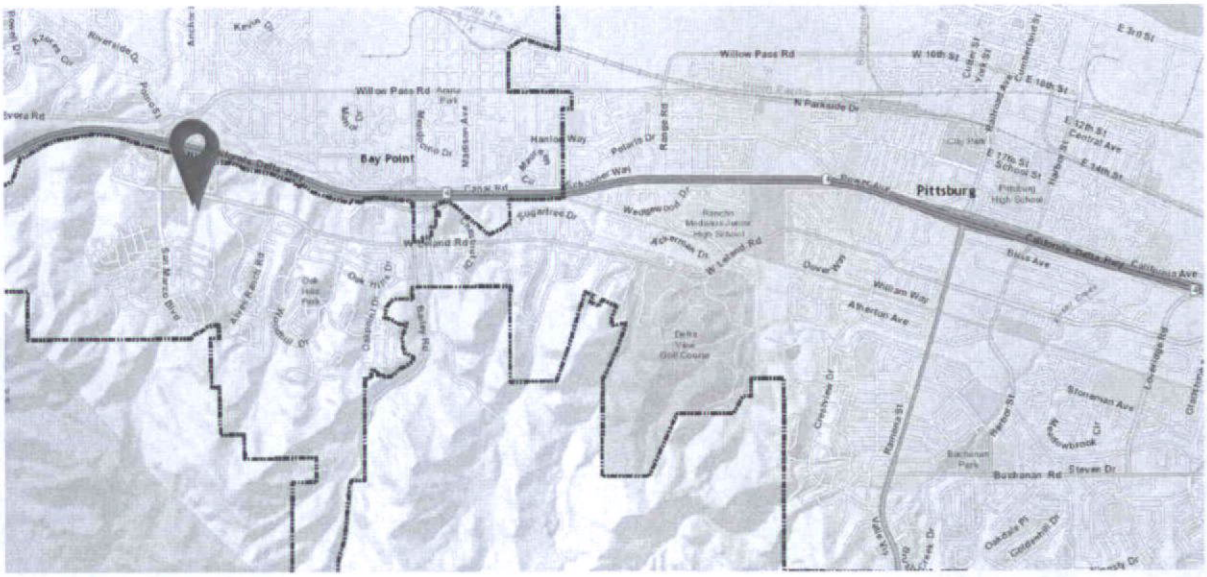
Where can I get more information about this project?
The complete file for this project is available for public inspection at the Planning Division, weekdays during the hours of 8:00 AM to 12:00 PM and 1:00 PM to 5:00 PM. You can also find out more about the project by contacting the project planner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

What can I do if I have comments on the project?
Comments or objections to the project can be made by writing or through oral testimony during the public 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. You may also register your comments or objections by attending the public meeting on the date and time listed above.

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

KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Esperanza Apartments at San Marco (Village M), AP-13-932 (DR)
Location: South side of West Leland Road, west of Tomales Bay Drive, APN: 097-550-018





Jordan Davis

From: sonia gregerson [redacted]
Sent: Saturday, April 15, 2017 10:58 PM
To: Jordan Davis
Subject: Proposal for the Espranza Apartments

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jordan Davis

I would like to raise an objection to the planned project: As this proposal was a surprised to me and my neighbors.

Esperanza Apartments at San Marco (Village M), AP-13-932 (DR). This is a request for design review approval of plans to construct a 318-unit apartment complex along the south side of West Leland Road, immediately west of Tomales Bay Drive. The project consists of 12 three-story buildings and site improvements on 13.3 acres in 'Village M' of the San Marco PD

I moved into the area of Vista Del Mar, the housing area between Tomales Bay Drive and Alves Ranch Road 3 yrs ago at that time we were told that the master planned was a park between San Marcos Blvd and Tomales Bay Drive. We were told that multifamily housing would be built in the area across the street from Vista Del Mar at Alves Ranch Road/crossing E. Leland Ave in the very large field.
There was no mention at that time about building apartments next to the community park nor do I see any in the previous designs for the park.

I realize that the Multifamily units (Apartments) are cheaper to construct than single-family housing or a Town homes.
I realize that for the City is "willing to move forward with lower projected profit depending on the strength of the market,".
What is the strength of the market?

New apartments were just built and opened at the San Marco Villa at San Marcos Blvd area during the end of 2016-2017. Why would we need another 318 units for rent instead of more single family housing for sale? What will they be renting for? Will there be mandatory availability for low income rental?

The 2016 report of the monthly supply of inventory noted that in Contra Costa County homes sold quickly but there are still constrained due to supply and demand.

So, we don't need more apartments; people are looking for homes to buy and invest in, there are not enough of homes as it is so why not put town homes in this area, or even the 'clustered' type homes? This would make more sense and be more useful than rental property, where you have more migrating tenants; coming and going.

Plus, we would then have twice as many people traveling on the East and West Leland Ave. We already have a quite a pile up in the morning with people driving towards the freeway and one lane available to turn right onto San Marcos Blvd as well as the public grade school traffic coming down San Marcos Blvd.
The infrastructure cannot handle this.
I will be at the meeting on 4/25 to listen to all the reasons you might feel that this would be a good project but in the end, **you don't have to live here**; I and my neighbors do, and we are all unhappy with this turn of events.

Respectfully

Sonia Gregerson

"when the power of love overcomes the love of power, the world will know peace"

Jordan Davis

From: Naila Syed [redacted]
Sent: Sunday, April 16, 2017 4:26 PM
To: Jordan Davis
Subject: Objections to Esperanza Apartments

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Jordan

This is an email to object the plans to the Esperanza Apartments. We moved into this community about 6 moinths ago and we were told by Seeno Homes of the ARCO garage and a community park. ARCO is up and running but the Park area has remained the same for years now.

This community is in desperate need of commercial and retail space.
There needs to be space for kids to play and ideally have some sort of recreation center nearby. Instead the City of Pittsburg is happily taking all the taxes and special assessment monies and building more homes. I understand that there is a need, however there has to be other areas in Pittsburg. This specific area is already densely populated with lots of new and slightly older homes, but without any proper stores and the traffic is a nightmare in the morning.

I think the City of Pittsburg needs to do a proper needs assessment into what is needed in this area and not just keep suggesting new homes and apartments.

Additionally i would like to inquire of any site which can show new community development ideas of the City of Pittsburg

Sincerely

Naila Syed
Bellagio Community

Jordan Davis

Subject: RE: San Marco Development - Esperanza Apartments, etc.

From: Kristie Ward [redacted]
Sent: Tuesday, April 18, 2017 12:01 PM
To: Kristin Pollot
Subject: San Marco Development - Esperanza Apartments, etc.

Hi Ms. Pollot,

If this email should be sent to another staff member of the planning department, please let me know. I'm writing because of a conversation with my neighbors about the ongoing development in the San Marco area. Of particular concern are the plans for a 300+ apartment building called Esperanza.

My neighbor informed me that the environmental impact report is from 1993. If that is accurate, I'm sure that the report, along with other studies related to the quality of life and safety of residents, are woefully out-of-date and do not reflect the current situation in this area of Pittsburg. We have more houses here and in surrounding communities. Antioch, Brentwood, and Oakley are significantly more developed now than they were in 1993 and that impacts Pittsburg.

The traffic in the area during morning commute time already impacts many people trying to get to work. Aggressive driving, cutting through streets, and disregard for traffic laws are just a few of the problems on Leland between Bailey and San Marco. I know PPD is well aware of these issues.

I realize these development plans are agreed to years in advance, but if the infrastructure does not support the growth, the city will have a variety of other issues. Highway 4 is a mess and there are no other options besides Bailey to get into Concord. From what I have heard, there are no plans to extend Leland into Concord or San Marco over the hill. If there are plans, those should happen before construction on additional houses/apartments are complete.

Another concern among many neighbors are options for grocery stores, etc. Many of my neighbors spend their hard-earned dollars at stores in other cities when they would rather spend that money in Pittsburg.

Is there a formal channel to voice concerns over these plans? Attending city meetings does not always work for those trying to commute back home in the evenings, especially with how traffic has been lately.

Thank you for your time and assistance,

Kristie Ward
Resident of Oak Hills South

Jordan Davis

From: Gabe Essoe [redacted]
Sent: Thursday, April 20, 2017 2:32 PM
To: Jordan Davis
Cc: Kelley Essoe
Subject: Esperanza Apartment complex

To: Pittsburg City Council

Re: Esperanza Apartments

Date: 4/20/2017

I regret not being able to attend the Public Meeting on this matter, but I want to voice my **strong opposition against this project.**

The consideration is simple. This area of Pittsburg has been slowly deteriorating since I move here in 1999.

There are too many people for the amenities this area has to offer. There is only shopping center which is always totally crowded. Along with the greater population density, crime has risen dramatically. Adding another 318 units into an already congested area will reduce the quality of life here massively.

We need another shopping center, schools, more Bart parking. We need better services, not another 1000 people to further congest our limited resources.

Thank you for the consideration,

Gabe Essoe
Real Estate Broker
20 Quartz Ct, Pittsburg CA 94565
925-709-3232

Jordan Davis

From: ca66ag3@gmail.com on behalf of Cory Mullins <cory.mullins@gmail.com>
Sent: Tuesday, April 25, 2017 6:07 PM
To: Jordan Davis
Subject: Re: Esperanza Apartments at San Marco, AP-13-932 (DR)

Dear Jordan,

Thank you for sending me detailed responses to my questions. My last email was intended to gather information before I formed an opinion on the proposed apartment complex. After looking over the information you provided and the plans for the development, I have decided that I am opposed to the Esperanza Apartments development.

While I completely agree that Pittsburg needs medium and high density affordable housing, I do not think that this location is ideal for it. I would support a scaled back design, preferably with primarily condominium units to help instill permanence in the community. I also feel that the San Marco area has a shortage of small retail and restaurant units, possibly able to be used as mixed use buildings.

Thank you,

Cory Mullins

On Tuesday, April 25, 2017, Jordan Davis <jdavis@ci.pittsburg.ca.us> wrote:

Cory,

The projected traffic impacts of the proposed project were analyzed as part of the San Marco Environmental Impact Report (EIR), which analyzed the potential traffic impacts resulting from development of the entire San Marco area, including the proposed project site. The EIR found that, with the incorporation of mitigation measures identified in the EIR, traffic impacts would be reduced to a less than significant level – that is to say, requiring the developer do things such as install traffic signals and fund roadway improvements, traffic level of service will be acceptable.

There are several roadway projects on the horizon for this area. The presentation on this project at tonight's Planning Commission meeting will discuss several of these in detail, but two notable projects include: 1) requiring the developer install a traffic signal at the intersection of West Leland and the entrance to this project (which will align with the entrance to the Toscana subdivision); and 2) establishing a dedicated right-turn lane from northbound San Marco Blvd. onto eastbound West Leland Road. Additionally, beginning May 1, the meters onto State Route 4 will be left 'green' during heavy morning commutes, reducing the backup along the onramps.

I cannot say whether the proposed project will have an adverse impact on classroom sizes at Delta View Elementary; I will note, however, that the construction of Delta View was actually part of the San Marco development plan, and

therefore was built in anticipation of the entire San Marco development, including this project. Additionally, all dwelling units (318 in this instance) will require the developer pay school district impact fees to Mount Diablo Unified.

Lastly, a proposed condition of project approval would require the developer submit a photometric lighting plan to be reviewed and approved prior to issuance of building permits.

I hope this answers your questions. Plans for the project, as well as the staff report and resolution of approval with draft conditions of approval can all be found at the following link:
http://apps.ci.pittsburg.ca.us/sirepub/mtgviewer.aspx?meetid=682&doctype=AGENDA

The nature of your email appears to be more along the lines of questions for staff regarding the project, and not a letter of opposition or support for the proposed project. However, if you would like these comments or any other comments forwarded to the Planning Commission prior to tonight's meeting, please let me know.

Regards,

Jordan Davis, AICP

Associate Planner

City of Pittsburg, Planning Division

65 Civic Avenue, Pittsburg, CA 94565

Tel: 925.252.4015 | Fax: 925.252.4814

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Make us the home of your next business opportunity: www.thinkpittsburg.com

From: ca66ag3@gmail.com [mailto:ca66ag3@gmail.com] **On Behalf Of** Cory Mullins
Sent: Monday, April 24, 2017 9:05 PM
To: Jordan Davis
Subject: Esperanza Apartments at San Marco, AP-13-932 (DR)

Dear Jordan,

I have not seen the plans for the proposed apartment complex, but I do have some questions about neighborhood impact assessments. What is the projected impact on traffic at the San Marco Blvd and West Leland Road intersection, specifically during commute times? During morning commute hours, it is not uncommon for the right lane to be backed up on San Marco, which hinders turning east onto Leland as well as access to Highway 4 on-ramps.

Would the proposed apartment complex adversely affect classroom sizes at Delta View elementary school? Would the complex be required to have lighting systems to minimize light pollution?

Thank you for any answers you can provide and your consideration.

Cory Mullins

--
~ Cory

--
~ Cory

Jordan Davis

From: Alexandra Mullins <mullins.alexandra@gmail.com>
Sent: Tuesday, April 25, 2017 5:30 PM
To: Jordan Davis
Subject: Esperanza Apartments at San Marco, AP-13-932 (DR)

Dear Mr. Davis,

I just wanted to let you know that I, personally, am opposed to the building of the Esperanza Apartments at San Marco.

In 2014, I volunteered in-classroom at one of Delta View Elementary School's Afternoon Kindergarten classes, which I found to be functioning at capacity. Upon inquiry, it was suggested to me that Delta View's overall teacher-student ratio had recently diminished, so I was witnessing the school presenting at its best.

Given that my child will be of age to begin Kindergarten in the Fall of 2020--likely around the time the proposed Esperanza Apartments will be open for residence--I am deeply concerned that not only would the additional student applicants burden the teacher-student ratio, but that the increase would be so weighty that my child would have to enter a Lottery just to be able to attend Delta View Elementary; the only elementary school that is less than 1-mile from our home. Being subject to an Admissions Lottery, to me, would be an unfair burden on the families who already own homes within a mile of the school, and whose (personal and property) taxes have been paying for the school to remain open.

Also, there are two existing apartment complexes--one at San Marco & Leland, the other at Bailey & Leland--that should be able to fulfill any high-density occupancy requirements for the City of Pittsburg.

I would much prefer the parcel of land in question to be used for homes similar to the ones built at San Marco & Leland, across the street from the new Arco Station.

Should you have any questions or concerns, please do not hesitate to email me at mullins.alexandra@gmail.com.

Thank you.
Mrs. Alexandra Mullins

Alexandra A. Mullins (Kennedy)
+1 (510) 508-7973 mobile
(877) 541-5048 Confidential FAX
Mullins.Alexandra@gmail.com
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Alexandra A. Mullins (Kennedy)
+1 (510) 508-7973 mobile
(877) 541-5048 Confidential FAX
Mullins.Alexandra@gmail.com
about.me/aakmullins

Please direct all meeting requests to aakmullins@me.com to populate my calendar. Thank you.

Kristin Pollot

From: Steven West <skwest4@att.net>
Sent: Friday, April 21, 2017 1:35 PM
To: Kristin Pollot
Subject: Esperanza Apartment Complex

To whom it may concern

I am unable to attend the planning commission meeting on April 25th and so am writing to express my concerns regarding the development of the Esperanza Apartment Complex. I live in the Oak Hill subdivision and have so for over 20 years. With each new development in this area between Bailey Road and San Marco traffic has increased. This complex is being built off West Leland in an are that already suffers from excessive and poorly managed traffic during commute times. . It can now take 15-20 minutes to get from our development to San Marco which is a distance of about 3/4's of a mile.In addition cars often make an unsafe and illegal right hand turn from a middle lane on Leland to get to San Marco.This apartment complex will have over 600 parking spaces which potentially equates to 600 more cars commuting on Leland road. High density housing near Bart does not equate to those residents using Bart. The current development plan requires a new stop light be involved to get in and out of the complex. While practically needed this is not helpful to the problem at hand, nor is having a bus stop near the development a working solution.

I am disappointed that this issue was not addressed several years ago in this process as a basic common sense measure. I sincerely request that this project be delayed until meaningful solutions are developed to address this issue and that the planning commission would consider these issues before supporting further such development.

Sincerely

Kathleen West
1783 Peachwillow St
Pittsburg, Ca
925 709-1603

DISCOVERY BUILDERS INC.

4061 Port Chicago Highway Suite H
Concord, CA 94520
(925) 682-6419 Phone
(925) 689-2047 Fax

TRANSMITTAL

TO: **City of Pittsburg**
65 Civic Ave.
Pittsburg, CA 94565

DATE: 3/23/20

ATTENTION: Kristin Pollot

RE: San Marco Village M – Esperanza – extension request

WE ARE FORWARDING:

QUANTITY	DATE	DESCRIPTION
1	2/25/20	Planning Application – Design Review Approval Extension
1	2/26/20	Check No. 111486 in the Amount of $1,000.00

DELIVERED VIA:

~~**HAND DELIVERY**~~ us mail

COMMENTS:

Kristin,

Please see the application for an extension to the Esperanza Apartment project approval. We would like to request a 3 year extension as we plan to build San Marco Villas 3 before this project.

Please contact me with any questions

Sincerely

Louis Parsons

Cc:

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

NOTICE OF PUBLIC MEETING

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

DATE: **May 26, 2020**
TIME: **7:00 p.m.**
PLACE: **Zoom Teleconference via Streaming Media on the City's homepage, www.ci.pittsburg.ca.us (see public advisory on last page)**

Concerning the following matter:

Esperanza Apartments at San Marco (Village M), Extension of Approval, AP-20-1509 (DR)

This is a request for a three-year extension of approval for design review of plans to construct a 318-unit apartment complex, consisting of twelve three story buildings and one clubhouse, on a 13.3 acre site known as 'Village M' of the San Marco PD (Planned Development, Ordinance No. 12-1362) District. Assessor's Parcel No. 091-050-064

PROJECT PLANNER: Trishia Caguiat, (925) 252-4855 or tcaguiat@ci.pittsburg.ca.us

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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.

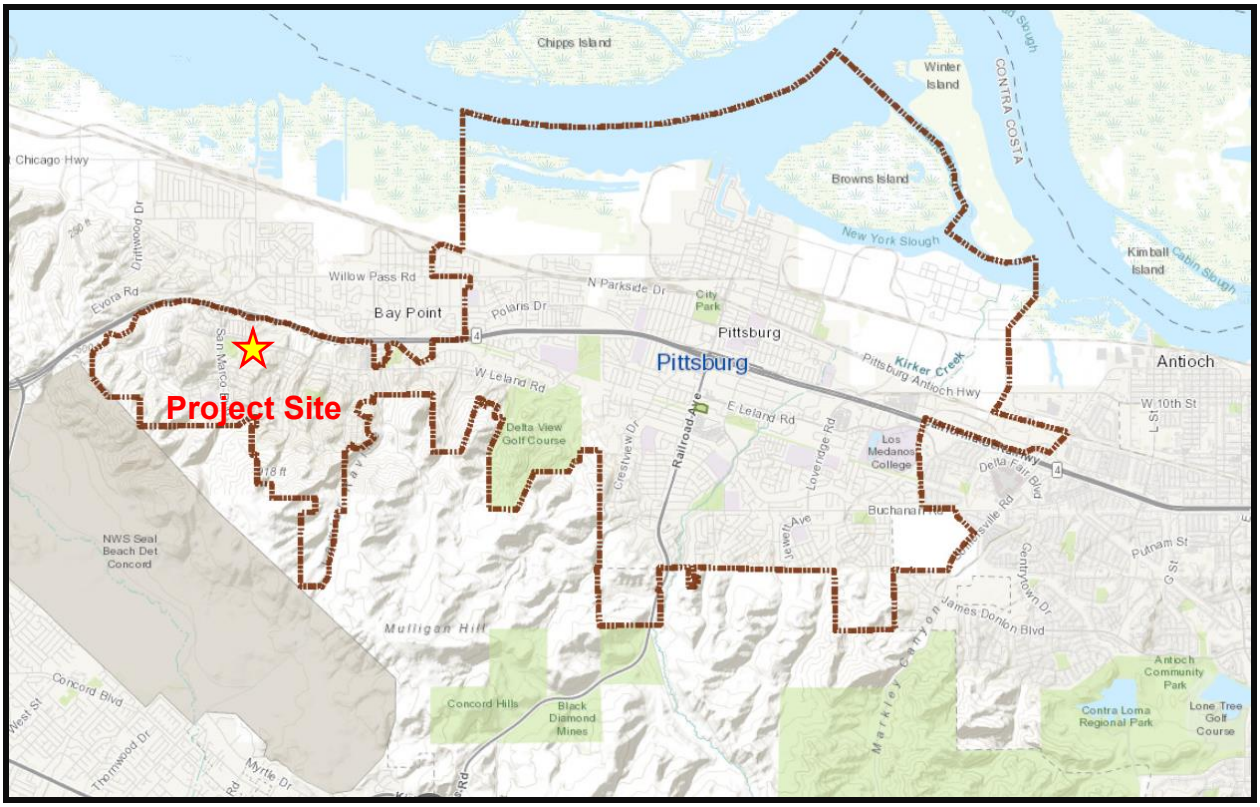
Where can I get more information about this project?
The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

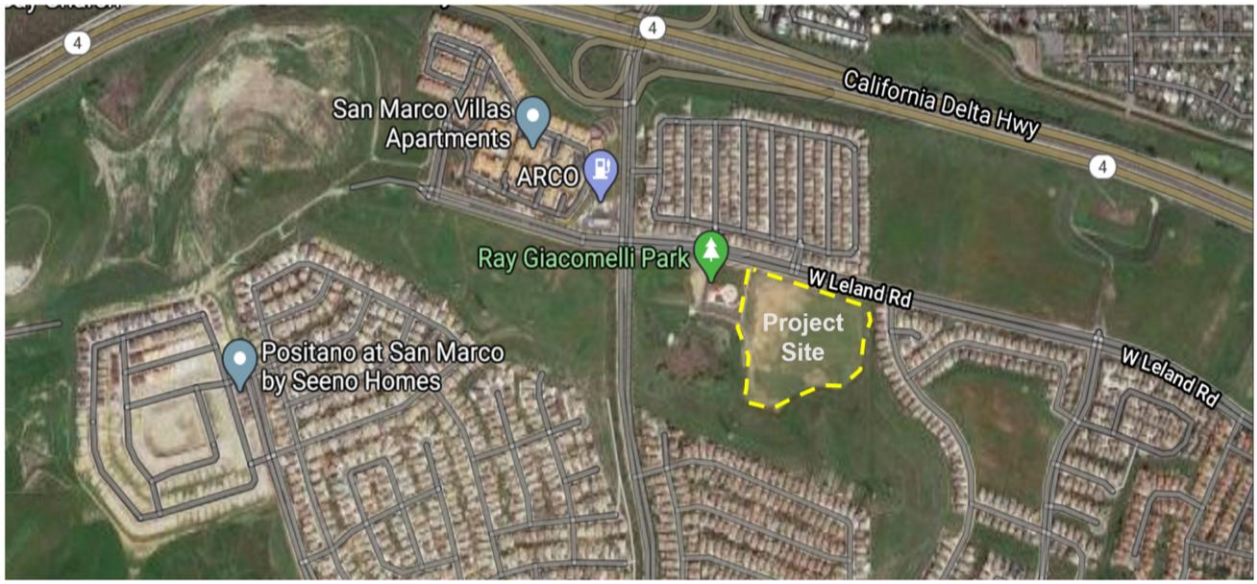
What can I do if I have comments on the project?
Comments or objections to the project can be made by writing or through e-mailed testimony during the public hearing. Written comments citing the project name may be emailed to the project planner listed above, or may be mailed or delivered to: Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565.
Comments can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

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

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Esperanza at San Marco, Extension of Approval, AP-20-1509 (DR)
Location: South side of West Leland Road, West of Tomales Bay Drive





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

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the City Council for May 18, 2020 will be conducted telephonically through Zoom and broadcast live through Granicus on the City's website.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

Comments on this item can be submitted via email to: meetingcomments@ci.pittsburg.ca.us

If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate “FOR PUBLIC COMMENT – NON-AGENDA.” Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

City of Pittsburg

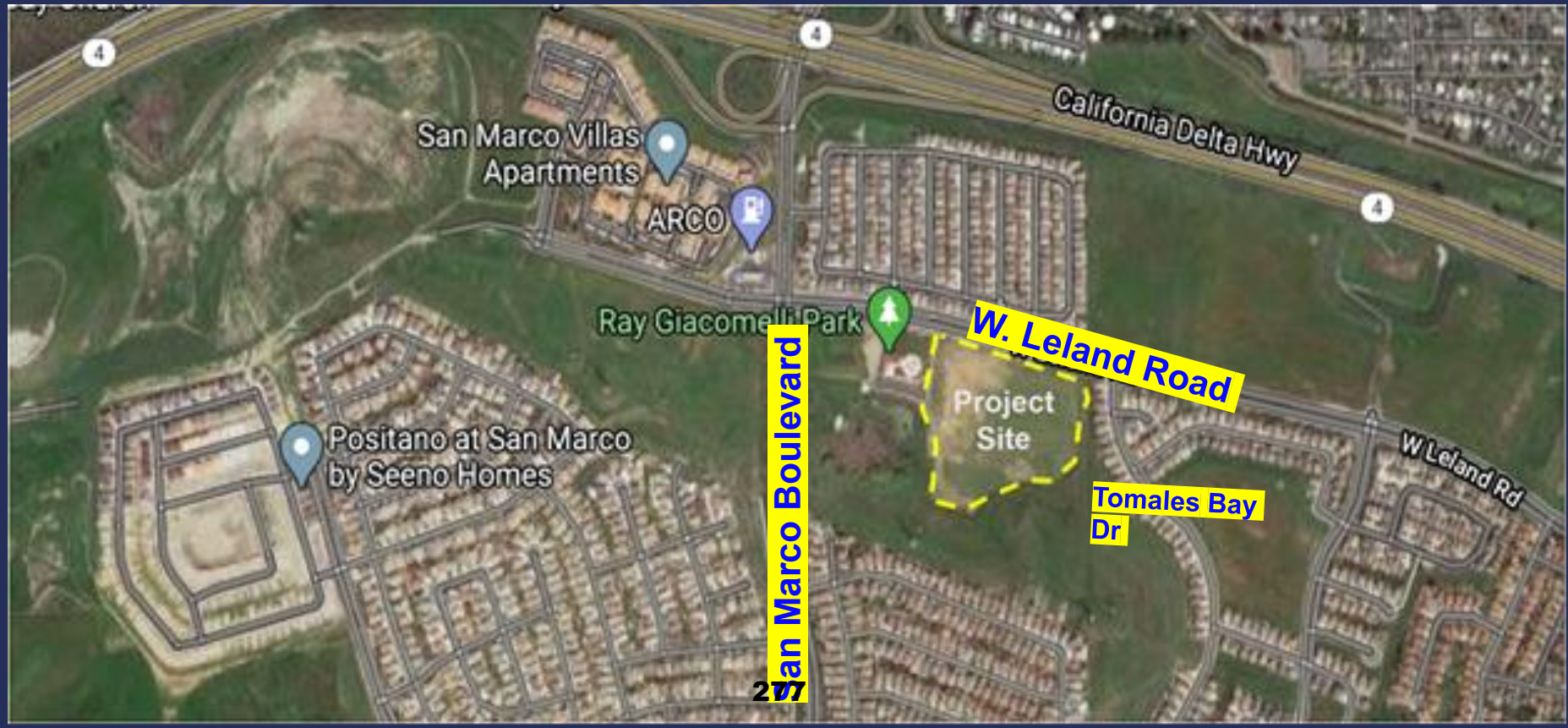
Esperanza Apartments at San Marco
Design Review Extension of Approval
AP-20-1509

Background

- PC adopted Resolution 10060 (April 25, 2017)
  - Approving site design, landscape plan, architectural elevations and building materials for Village M (Esperanza Apartments)

- Request for three-year extension Design Review (March 24, 2020)
  - No new regulations are proposed to affect original approval
  - Approval would extend Design Review approval through May 26, 2023

Surrounding Context



Existing Site



West Leland Rd, west of Tomales Bay Drive

Esperanza at San Marco





- Known as ‘Village M’
- 318 Multifamily Units
- 13.3 acres
- Planned Development Zoning



Rendering (Sample Elevation)



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

CONCEPTUAL BUILDING 'A' ELEVATIONS

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

8' 0'

280





CONCEPTUAL FRONT ELEVATION

General Plan and Zoning

- Consistent with the San Marco PD and 1988 General Plan
  - Meets maximum allowable density (18 units per acre)
- Village M (Esperanza)
  - Italian Mediterranean inspired design
  - Location near Ray Giacommelli Park and within a mile of BART
- Good cause for three-year extension
  - Consistent with Development Review Design Guidelines
  - Consistent with development envisioned for San Marco PD Village M

Action Required

Move to adopt Resolution 10147, approving a three-year extension of the term of approval of Design Review Application No. 20-1509.

CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 26, 2020

ITEM: **T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)**

ORIGINATED BY: Shane Woodruff, 27130 Paseo Espada, #A, San Juan Capistrano, CA 92675.

SUBJECT: This is a request for design review approval of plans to construct a new 75' tall monopole tower with 12 antennas and supporting radio equipment, enclosed within an 8' tall chain link compound on an approximately 43,000 square foot site located at 1592 Willow Pass Road, in the IG (General Industrial) District. Assessor's Parcel No. 097-092-007.

RECOMMENDATION:

Staff recommends that the Commission adopt Resolution No. 10148, approving Design Review Application No. 20-1497, subject to conditions.

BACKGROUND:

The site was annexed into the City in 2008, as part of the Mirant Annexation. Since that time, the site has housed many automotive service uses including NLS Trucking & Repair from 2012 to 2020 (current), 4 Star Tire from 2012 to 2019, Pittsburg Wholesale Tires from 2013 to 2016, KRA Auto Services from 2014 to 2015, The Resurrector Restoration from 2018 to 2019, and Sukhpal Sing Cheema (Taxi Driver) and Royal Tires from 2019 to 2020 (current).

PROJECT DESCRIPTION:

Existing Conditions: The project site is an approximately 43,000 square foot parcel located on the north side of Willow Pass Road approximately 450 feet east of Balclutha Way and approximately 1,100 feet west of Range Road. The parcel is long and narrow, approximately 545 feet by approximately 82 feet. The narrow side of the property fronts Willow Pass Road where there exists an approximately 340 square foot area for landscaping at the entrance of the site. The parcel is mostly flat, developed with an existing 4,980 square foot building located on the southern portion of the parcel approximately 75 feet north of Willow Pass Road. Beyond the building lies a large gravel parking lot area, approximately 18,000 square feet. The northernmost portion of the site lies approximately 9,000 square feet of open undeveloped space which includes seven trees in the immediate vicinity of the proposed monopole (of which one dead eucalyptus tree is proposed to be removed). Several easements run along the northern end of the property, in the rear thirty feet, for sanitary sewer, pipeline access, electric transmission pole access, and incidental purposes. The site has driveway access from Willow Pass Road, and six-foot-tall chain-link fence, with barbed wire above, along the front property line.

To north of the property lies the BNSF (Burlington Northern Santa Fe) and Union Pacific railroad tracks with more heavy industrial uses beyond and to the immediate west of the property. South of the property, across Willow Pass Road lies single family homes in the Willow Landing and Twin Harbours Subdivisions. East of the property are existing mobile home parks (Bella Vista and Riverview) located among more industrial uses.

See Attachment 3 for an aerial photo of the site and the surrounding land uses.

Proposed Project: The proposed project is for design review of plans to construct a 75' tall monopole tower with 12 antennas and supporting radio equipment, enclosed within an 8' tall chain link compound. The wireless facility is proposed to be located near the northern-most end of the parcel at 1592 Willow Pass Road, set back approximately 400 feet from the street frontage. The purpose for the new facility is to close a significant gap in long-term evolution (LTE) coverage. The specific monopole design was chosen so it would be available for co-location to accommodate multiple carriers. In addition, no facility camouflaging was proposed primarily because of the existing heavy industrial nature of the site (and its surrounding area) and the significant setback from the closest street frontage.

See Attachments 2 for project plans and an example of the proposed structure.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is in the 'Northwest River Subarea' of the General Plan and has a land use designation of 'Industrial'. The proposed monopole and accessory equipment are designed to support a wireless telecommunications facility, which is permitted in industrial areas. The proposed use is industrial in nature as are the uses to the immediate north and west of the project site. The project would be constructed on an underutilized site with existing infrastructure, would enhance communications services for Pittsburg residents, and would not generate additional trips to the area.

The proposed project would be consistent with the General Plan, more specifically, Goal 2-G-1, which calls for maintaining a compact urban form; Goal 2-G-6, which calls for reuse and revitalization of underutilized sites; and Policy 11-P-33, which calls for utility lines to be underground.

As further shown in Attachment 4, the proposed project is consistent with all applicable General Plan goals and policies.

Zoning: The project site is located within the IG (General Industrial) District, where a telecommunication facility is a permitted use. Per Pittsburg Municipal Code (PMC) section 18.84.920, all applications for new wireless telecommunications facilities require design review. The schedule set forth in PMC Table 18.54.115 prescribes development regulations for the IG District, and as shown in Attachment 5, the proposed project complies with all applicable development standards with the exception of the maximum height of structures (50 feet). However, PMC section 18.54.120 allows additional height

for structures within the IG District; the allowed height increase is equal to the number of feet that the property is set back from each property line beyond the minimum yard requirements, up to a maximum of 75 feet. The proposed monopole would be setback approximately 325 feet from the required front yard, allowing the maximum allowable height of 75 feet. The proposed monopole would not exceed this height.

Design Guidelines: The proposed project is subject to the City's adopted Development Review Design Guidelines (DRDG), adopted by Planning Commission through Resolution No. 9864, and the Standards of Review for Design Review Applications for Wireless Telecommunications Facilities as set forth in PMC section 18.84.930.

As shown in Attachment 6, the proposed project is consistent or conditionally consistent with the applicable DRDG sections.

As shown in Attachment 7, the proposed project is also either consistent or conditionally consistent with the applicable Standards of Review for Design Review Applications for Wireless Telecommunications Facilities, specifically those that call for: 1) the applicant to demonstrate that it proposed the least intrusive means to achieve its technical objectives (A.1.e); 2) wireless telecommunications facilities shall be preferred in industrial and commercial districts (B.3); and 3) newly constructed towers or monopoles should be capable of co-location (D.9).

Required Findings: Design review approval for the project can be granted by the Planning Commission only after the Commission makes a determination that the proposed project is consistent with PMC section 18.84.930 (A), which is summarized below:

A. the wireless telecommunications facility conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

B. the exterior design and appearance of the wireless telecommunications facility is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

C. the wireless telecommunications facility is in harmony with proposed developments on land in the general area;

D. the application conforms with the criteria set forth in any applicable city-adopted design guidelines; and

E. the applicant demonstrated that it proposed the least intrusive means to achieve its technical objectives.

Environmental: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, “In-Fill Development Projects,” of the state CEQA Guidelines, section 15332.

Public Notice: Although not required by the PMC, on or prior to May 16, 2020, notice of the May 26, 2020, public meeting to consider design review of the proposed project was posted at City Hall, was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the “Trident,” “Catamaran Circle,” and “California Seasons” Nextdoor neighborhood.

ANALYSIS:

Staff believes that the Planning Commission can make the required findings to approve the design review request based on the findings described below.

The proposed monopole would benefit workers, commuters, and residents that travel through the area in that installation of the pole would result in continuous cellular phone coverage in an area that has measurably poor and non-continuous coverage. The proposed location of the monopole at the edge of the City within the IG District is appropriate, and the proposed height is allowable under the municipal code.

Staff does not believe that the project would result in marginal development nor adversely affect the orderly development of property in that the proposed large-scale monopole would be located on industrial land adjacent to large scale industrial equipment. The monopole would be visible from the adjacent roadway; however, it would be set back approximately 400 feet from the public right-of-way and would be in character with surrounding heavy industrial development. As conditioned, all structures associated with the project would have a non-reflective neutral finish to reduce potential for glare and to allow the telecommunications facility to recede into the background industrial equipment as much as possible.

Based on the above analysis, staff recommends that the Planning Commission approve the design review request, with the inclusion of several conditions of approval:

1. Monopole Finish. The monopole and related structures shall be non-reflective to reduce the potential for glare and to encourage the monopole to recede into the background industrial equipment as much as possible. (Condition No. 2).
2. Structure Maintenance. The new monopole and accessory equipment shall be maintained in a good state of repair and the exterior finish must be clean and well maintained. (Condition No. 3).
3. Fence Maintenance. The applicant shall install privacy slats in the chain-link fencing surrounding the wireless facility compound. Slats shall be replaced within 72 hours if damaged or vandalized. The fence shall be maintained erect and in a good state of

repair. If the fence becomes dilapidated, dangerous, or unsightly it shall be repaired, replaced, or removed, as deemed necessary by the Community Development Director. (Condition Nos. 5 and 6).

Further, staff believes the proposed project would be beneficial for public safety as the proposed project would close a significant gap in LTE (long-term evolution) coverage and would enhance services for a significant number of residents ensuring they are able to contact the proper services in an emergency situation.

ACTION REQUIRED:

Move to adopt Resolution No. 10148, approving Design Review Application No. 20-1497, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 10148
2. Project Plans, Simulations, and Analysis
3. Map of Surrounding Land Uses
4. Applicable General Plan Goals and Policies
5. Property Development Regulations Table
6. Development Review Design Guidelines
7. Standards of Review for Design Review Applications for Wireless Telecommunication Facilities
8. Public Meeting Notice

Prepared by: Celina Palmer, Assistant Planner

Attachment 1

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Design Review Approval to Construct a 75-Foot Tall Monopole and for Placement of Antennas and Supporting Radio Equipment for "T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)."	)))))))	Resolution No. 10148

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

A. On February 5, 2020, Shane Woodruff, of Infrastruct Tower Group on behalf of T-Mobile, filed Planning Application No. 20-1497, requesting design review approval of plans to construct a new 75' tall monopole tower with 12 antennas and supporting radio equipment, enclosed within an 8' tall chain link compound on an approximately 43,000 square foot site located at 1592 Willow Pass Road, in the IG (General Industrial) District. Assessor's Parcel No. 097-092-007.

B. The current proposed project is governed by the policies, development standards, and guidelines contained in the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 (Zoning), and the City of Pittsburg Development Review Design Guidelines (DRDG; Planning Commission Resolution No. 9864).

C. Design review approval can be granted only after the Planning Commission makes a determination that the proposed project is consistent with PMC section 18.84.930.A, which is summarized below:

1. the wireless telecommunications facility conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
2. the exterior design and appearance of the wireless telecommunications facility is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
3. the wireless telecommunications facility is in harmony with proposed developments on land in the general area;
4. the application conforms with the criteria set forth in any applicable city-adopted design guidelines; and
5. the applicant demonstrated that it proposed the least intrusive means to achieve its technical objectives.

D. Although not required by the PMC, on or prior to May 16, 2020, notice of the May 26, 2020, public meeting to consider design review of the proposed project was posted at City Hall, was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies expected to provide services to the site, and to individuals who had previously filed written request for such notice. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Trident," "Catamaran Circle," and "California Seasons" Nextdoor neighborhoods.

E. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, "In-Fill Development Projects" of the state CEQA Guidelines, section 15332.

F. On May 26, 2020, the Planning Commission held a public meeting on Design Review Application No. 20-1497, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report, "T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)," and based on 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 based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. The wireless telecommunications facility conforms with good taste, good design and in general contributes to the character and image of the city as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the monopole is reflective of the general industrial character of the surrounding neighborhood; and, in that the equipment will be screened within a compound and is located behind the existing building at the site.

3. The exterior design and appearance of the wireless telecommunications facility is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, in that the proposed structures will be required to comply with all applicable building and fire codes to ensure the stability of the monopole and related equipment.

4. The wireless telecommunications facility is in harmony with proposed developments on land in the general area, in that the monopole and ancillary telecommunications equipment will be placed adjacent to large-scale industrial facilities and will reflect the industrial nature of the surrounding development. The monopole and related structures shall be non-reflective to reduce the potential for glare and to encourage the monopole to recede into the background industrial equipment as much as possible.

5. The application conforms with the criteria set forth in any applicable city-adopted design guidelines, in that the proposed monopole will be located in an industrial district and will be capable of colocation.

6. The applicant demonstrated that it proposed the least intrusive means to achieve its technical objectives, in that the facility was chosen to be constructed in an existing heavy industrial area that is surrounded by other heavy industrial uses and it will be setback approximately 400-feet from the closest street, thereby minimizing it's appearance and eliminating the need for further screening/camouflaging techniques.

B. The Staff Report entitled, "T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)," dated May 26, 2020, is referenced hereto as additional support for findings.

Section 3. Decision

A. Based on the findings set forth above, this Planning Commission hereby approves Design Review Application No. 20-1497, subject to the following conditions:

1. Conformity with Project Plans. The project shall be constructed in substantial conformity with the project plans and example elevations date stamped February 2, 2020, except as hereinafter may be modified. Any major changes to the project plans shall be subject to review and approval by the Planning Commission at the City Planner's discretion.

2. Colors and Materials. The new monopole shall be a light grey, non-reflective color and all structures associated with the project shall have a nonreflective surface.

3. Structure Maintenance. The new monopole and accessory equipment shall be maintained in a good state of repair and the exterior finish must be clean and well maintained.

4. Site Maintenance. The entire parcel shall be kept clean and free of all litter, debris, and refuse.

5. Fence Maintenance. The fence surrounding the wireless facility shall be maintained erect and in a good state of repair. If the fence becomes dilapidated, dangerous, or unsightly it shall be repaired, replaced, or removed, as deemed necessary by the Community Development Director.

6. Fence Screening Slats. The applicant shall install privacy slats in the chain link fencing surrounding the compound. Slats shall be replaced within 72 hours if damaged or vandalized.

7. Vandalism. Within 10 days of receiving notice of the vandalism, the applicant or applicant's designee shall be responsible for removing any graffiti that is applied to the structure by painting over the graffiti with a paint color that matches the existing paint color of the structure

8. Landscaping: The applicant shall remove weeds from the landscaping area along the property frontage and install new drought tolerant plants within the existing planter area. A landscape plan shall be submitted to the city planner for approval within 60 days of this approval and it shall be consistent with the State Model Efficient Landscape Ordinance.

Engineering Conditions:

Engineering Fees:

9. Improvement and Grading Plan Review fees. The applicant shall provide an initial payment for review of the grading and improvement plans with the first submittal. These fees are based on the engineer's estimated costs for site improvements and grading, which shall be submitted with the plans. The improvement plan check fee is 6% of the cost of the improvements. The grading plan check fee is 2.5% of the cost for grading, or it may be based upon cubic yards of earth disturbance as set forth in the City's Master Fee Schedule. Fifty percent (50%) of these total fees are to be paid with the initial submittal of plans and engineer's cost estimate. These initial payments will be credited towards the final fees as determined at engineering permit. The remainder of the fee shall be due payable prior to issuance of an engineering permit.

10. Improvement and Grading Inspection fees. The applicant shall pay the improvement and/or grading inspection fee(s) to the Engineering Division prior to the issuance of a single parcel development permit. The current improvement inspection fee is 5.75% of the engineer's estimated cost for improvements. The grading inspection fee is 3% of the engineer's estimated cost of grading. The grading inspection fee may also be based upon an approved engineer's estimate of total cubic yards, according to the current schedule of grading fee charges as set forth in the City's

Master Fee Schedule.

Standard Conditions:

11. 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.

12. 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. 10148 shall govern.

13. 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.

14. Expiration of Approval. This design review approval will expire on May 26, 2022, unless a building permit or grading permit has been issued for purposes of construction of this project, or a written request for an extension is filed with the Planning Division prior to the expiration date and is subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of permit issuance, unless work is commenced and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 26th day of May 2020, 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. 10148 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2020.

_____
KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

INFRASTRUCT TOWER GROUP

PITTSBURG
CA-19-001A

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565
CONTRA COSTA COUNTY

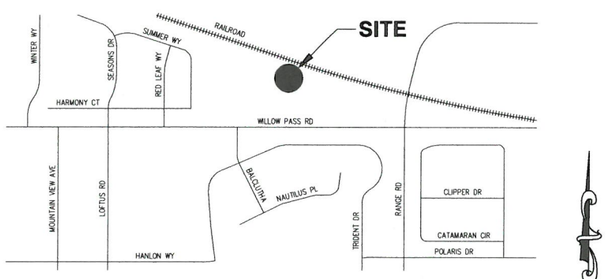
SITE INFORMATION

SITE ADDRESS:	1592 WILLOW PASS ROAD PITTSBURG, CA 94565 CONTRA COSTA COUNTY
LATITUDE (NAD 83): LONGITUDE (NAD 83):	38.027997 -121.922083
GROUND ELEVATION:	26.5' ±
JURISDICTION:	CITY OF PITTSBURG
PROPERTY OWNER:	PARMJIT SINGH 81 HUNTINGTON DRIVE PITTSBURG, CA 94565
ZONING:	I.G.
PARCEL/MAP NUMBER:	096-092-007
STRUCTURE TYPE:	MONOPOLE
STRUCTURE HEIGHT:	75'-0" ± (AGL)
LEASE AREA:	1685 S.F.

PROJECT TEAM

PROJECT MANAGEMENT FIRM:	TSJ CONSULTING INC TOM JOHNSON 27130 PASEO ESPADA #A-1426 SAN JUAN CAPISTRANO, CA 92675 MOBILE : (925) 785-3727 tom@tsjconsultinginc.com
A&E FIRM:	CONNELL DESIGN GROUP, INC DANIEL CONNELL, PE 22431 ANTONIO PKWY SUITE B 160-131 RANCHO SANTA MARGARITA CA 92688 PHONE: (949) 306-4644 dconnell@connelldesigngroup.com

VICINITY MAP



DIRECTIONS

FROM WALNUT CREEK, CA

TAKE THE CA-242 N
MERGE ONTO CA-4 E VIA EXIT 3C ON THE LEFT TOWARD STOCKTON/PITTSBURG
TAKE THE BAILEY RD N EXIT, EXIT 20B
MERGE ONTO BAILEY RD
TURN RIGHT ONTO WILLOW PASS RD
DRIVE A LITTLE OVER A MILE AND 1592 WILLOW PASS RD WILL BE ON THE LEFT

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THE LATEST EDITIONS OF THE FOLLOWING CODES.

- 2019 CALIFORNIA BUILDING CODE
- 2019 CALIFORNIA TITLE 24
- 2019 CALIFORNIA FIRE CODE
- 2019 CALIFORNIA ENERGY CODE
- 2019 CALIFORNIA MECHANICAL CODE
- TI/EIA-222-F OR LATEST EDITION

DRAWING INDEX

T-1	TITLE SHEET
C-1	SITE SURVEY
C-2	SITE SURVEY
A-1	SITE PLAN AND ENLARGED SITE PLAN
A-2	LEASE AREA PLAN
A-3	ELEVATIONS
A-4	ELEVATIONS

DRAWING SCALE

THESE DRAWINGS ARE SCALED TO FULL SIZE AT 22"X34" AND HALF SIZE AT 11"X17". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE DESIGNER / ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL ORDERS OR BE RESPONSIBLE FOR THE SAME. CONTRACTOR SHALL USE BEST MANAGEMENT PRACTICE TO PREVENT STORM WATER POLLUTION DURING CONSTRUCTION.

SCOPE OF WORK

THIS PROJECT CONSISTS OF THE CONSTRCUTION OF A NEW WIRELESS ANTENA FACILITY INCLUDING THE INSTALLATION OF:

- (1) NEW 1685 SQUARE FOOT EQUIPMENT ENCLOSURE WITH AN 8' HIGH CHAIN LINK FENCE
- (1) NEW 75' TALL MONOPOLE WITH 12 8' TALL ANTENNAS AND 24 RRUS
- (1) NEW EQUIPMENT CONCRETE SLAB WITH TWO BTS EQUIPMENT CABINETS AND ALL ASSOCIATED UTILITY CABINETS
- NEW POWER AND TELEPHONE SERVICE INCLUDING NEW UNDERGROUND AND/OR OVERHEAD UTILITY RUNS AS REQUIRED BY THE LOCAL UTILITY COMPANIES

APPLICANT

INFRASTRUCT TOWER GROUP
27130 PASEO ESPADA #A-1426
SAN JUAN CAPISTRANO, CA 92675

SITE INFORMATION

PITTSBURG
CA-19-001A
1592 WILLOW PASS ROAD
PITTSBURG, CA 94565
CONTRA COSTA COUNTY

REVISIONS

REV	DATE	DESCRIPTION	BY
1	01/13/2020	100% ZD	DC
0	01/10/2020	90% ZD	DC

PROFESSIONAL STAMP

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SHEET TITLE

TITLE BLOCK

SHEET

T-1

NOTES

APN: 096-092-007

OWNER(S): THE SINGH LIVING TRUST

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE REPORT OF TITLE: NORTH AMERICAN TITLE INSURANCE COMPANY, GUARANTEE NO. 54606-20-00125-01, DATED JANUARY 7, 2020. WITHIN SAID TITLE REPORT THERE ARE TWNTY-FIVE (25) EXCEPTIONS LISTED, NINE (9) OF WHICH ARE EASEMENTS AND ONE (1) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060025, PANEL NO. 0118G, DATED SEPTEMBER 30, 2015, SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X, WHICH ARE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. XX° XX' XX.XX" N NAD 83
LONG. XXX° XX' XX.XX" W NAD 83
ELEV. XXX.X' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

LESSOR'S PROPERTY LEGAL DESCRIPTION PER TITLE REPORT:

REAL PROPERTY IN THE CITY OF PITTSBURG, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY LINE OF THE STATE HIGHWAY LEADING FROM PITTSBURG TO MARTINEZ, DISTANT THEREON NORTH 89 DEGREES 56 MINUTES WEST, 200.00 FEET FROM THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND CONVEYED BY C. A. HOOPER & CO., A CORPORATION, TO CHIAPERO, ET AL, BY DEED RECORDED AUGUST 23, 1946, RECORDERS SERIAL NO. 34547, RECORDS OF CONTRA COSTA COUNTY; THENCE FROM SAID POINT OF BEGINNING NORTH 89 DEGREES 56 MINUTES WEST ALONG THE NORTHERLY LINE OF SAID STATE HIGHWAY, 80.38 FEET; THENCE LEAVING SAID LINE NORTH 00 DEGREES 04 MINUTES EAST, 546.50 FEET TO A POINT ON THE SOUTHERLY LINE OF THE SOUTHERN PACIFIC RAILROAD COMPANY RIGHT OF WAY; THENCE EASTERLY ALONG SAID SOUTHERLY LINE ON A CURVE TO THE LEFT, THE CENTER OF WHICH BEARS NORTH 17 DEGREES 49 MINUTES 53 SECONDS EAST, 17,238.30 FEET, AN ARC DISTANCE OF 84.24 FEET; THENCE LEAVING SAID LINE SOUTH 00 DEGREES 04 MINUTES WEST, 520.99 FEET TO THE POINT OF BEGINNING.

PROPERTY ADDRESS: 1592 WILLOW PASS ROAD, PITTSBURGH, CA 94565

APN: 096-092-007-2

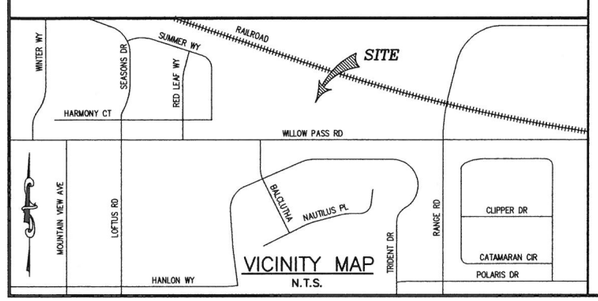
EASEMENT(S) PER TITLE REPORT:

5. AN EASEMENT FOR PIPE LINE AND POLE LINE AND INCIDENTAL PURPOSES, RECORDED FEBRUARY 24, 1902 IN BOOK 92 OF DEEDS, PAGE 534.
   IN FAVOR OF: PACIFIC COAST OIL COMPANY
   AFFECTS: THE NORTHERN 6 FT. OF SAID LAND
   >>> PLOTTED AS SHOWN HEREON <<<

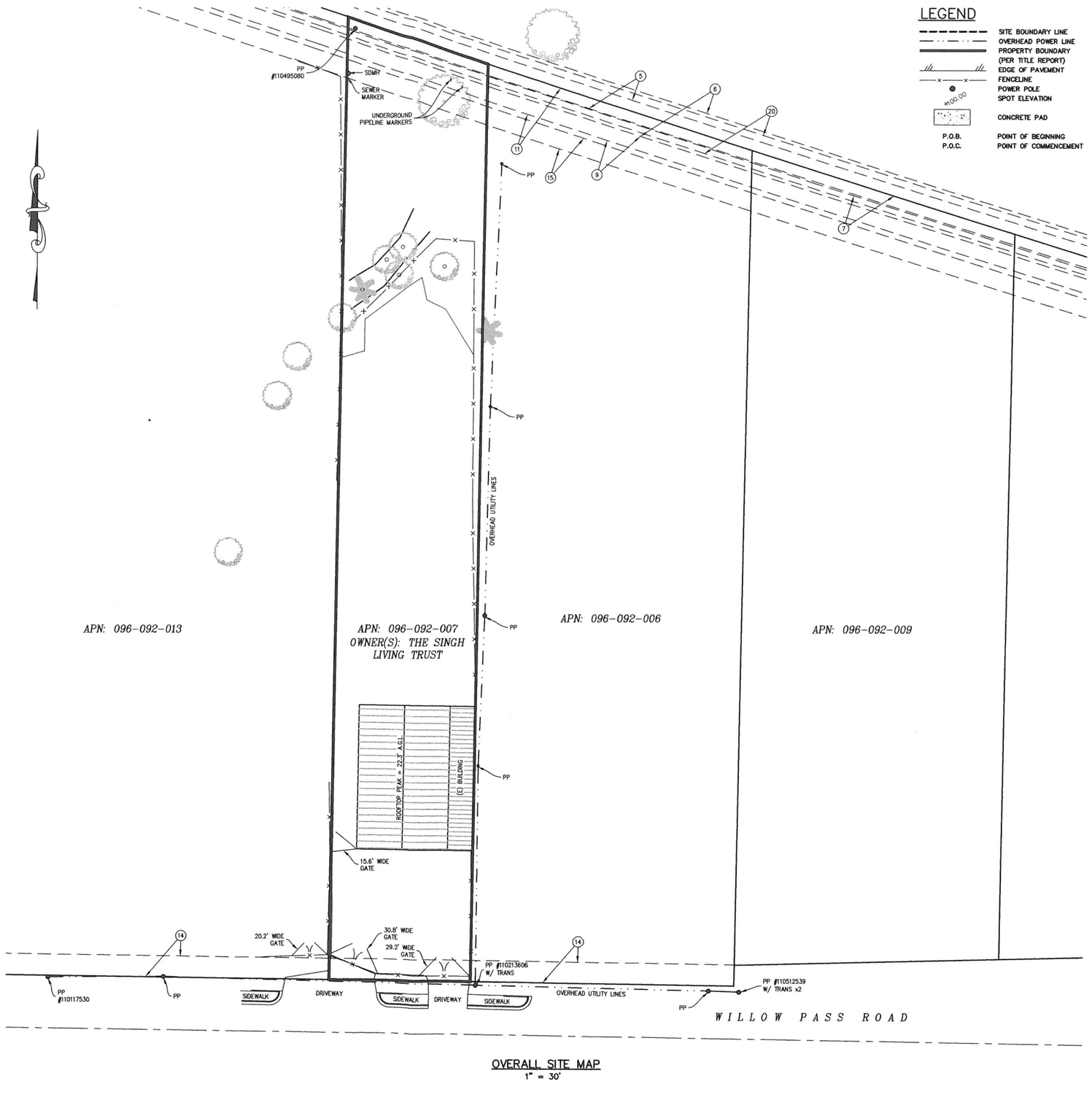
6. AN EASEMENT FOR PIPE LINE AND INCIDENTAL PURPOSES, RECORDED JULY 20, 1909 IN BOOK 145 OF DEEDS, PAGE 383.
   IN FAVOR OF: STANDARD OIL COMPANY
   AFFECTS: THE NORTHERN 12 FT. OF SAID LAND
   >>> PLOTTED AS SHOWN HEREON <<<

7. AN EASEMENT FOR ELECTRIC TRANSMISSION POLE LINE AND INCIDENTAL PURPOSES, RECORDED AUGUST 22, 1911 IN BOOK 170 OF DEEDS, PAGE 86.
   IN FAVOR OF: GREAT WESTERN POWER COMPANY
   AFFECTS: THE NORTHERN 7 FT. OF SAID LAND
   >>> PLOTTED AS SHOWN HEREON <<<

9. AN EASEMENT FOR PIPE LINE AND INCIDENTAL PURPOSES, RECORDED JULY 7, 1942 AS/IN BOOK 669, PAGE 334, OFFICIAL RECORDS.
   IN FAVOR OF: STANDARD OIL COMPANY OF CALIFORNIA
   AFFECTS: THE SOUTHERN 6 FT. OF THE NORTHERN 18 FT. OF SAID LAND
   THE LOCATION OF THE ABOVE EASEMENT WAS MODIFIED BY A DOCUMENT RECORDED OCTOBER 21, 1942 AS BOOK 703, PAGE 327 OF OFFICIAL RECORDS, AND AFFECTS THE SOUTHERN 8 FT. OF THE NORTHERN 20FT. OF SAID LAND.
   >>> PLOTTED AS SHOWN HEREON <<<



VICINITY MAP
N.T.S.



OVERALL SITE MAP
1" = 30'

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

INFRASTRUCT TOWER GROUP
27130 PASEO ESPADA #A-1423
SAN JUAN CAPISTRANO, CA 92675

SMITHCO SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE (661) 330-1227 FAX (661) 325-1260

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION

NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	SL	01/07/20
1	REV. SITE NAME	SL	01/09/20
2	REDLINES	SL	01/09/20
3	TITLE REVIEW	SL	01/21/20

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DRAWN BY:	SL
CHECKED BY:	DA
DATE DRAWN:	01/07/20
SMITHCO JOB #:	56-1023

SITE NAME

CA-19-001A
PITTSBURG

SITE ADDRESS

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565

CONTRA COSTA COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-1

EASEMENT(S) PER TITLE REPORT (CONT'D):

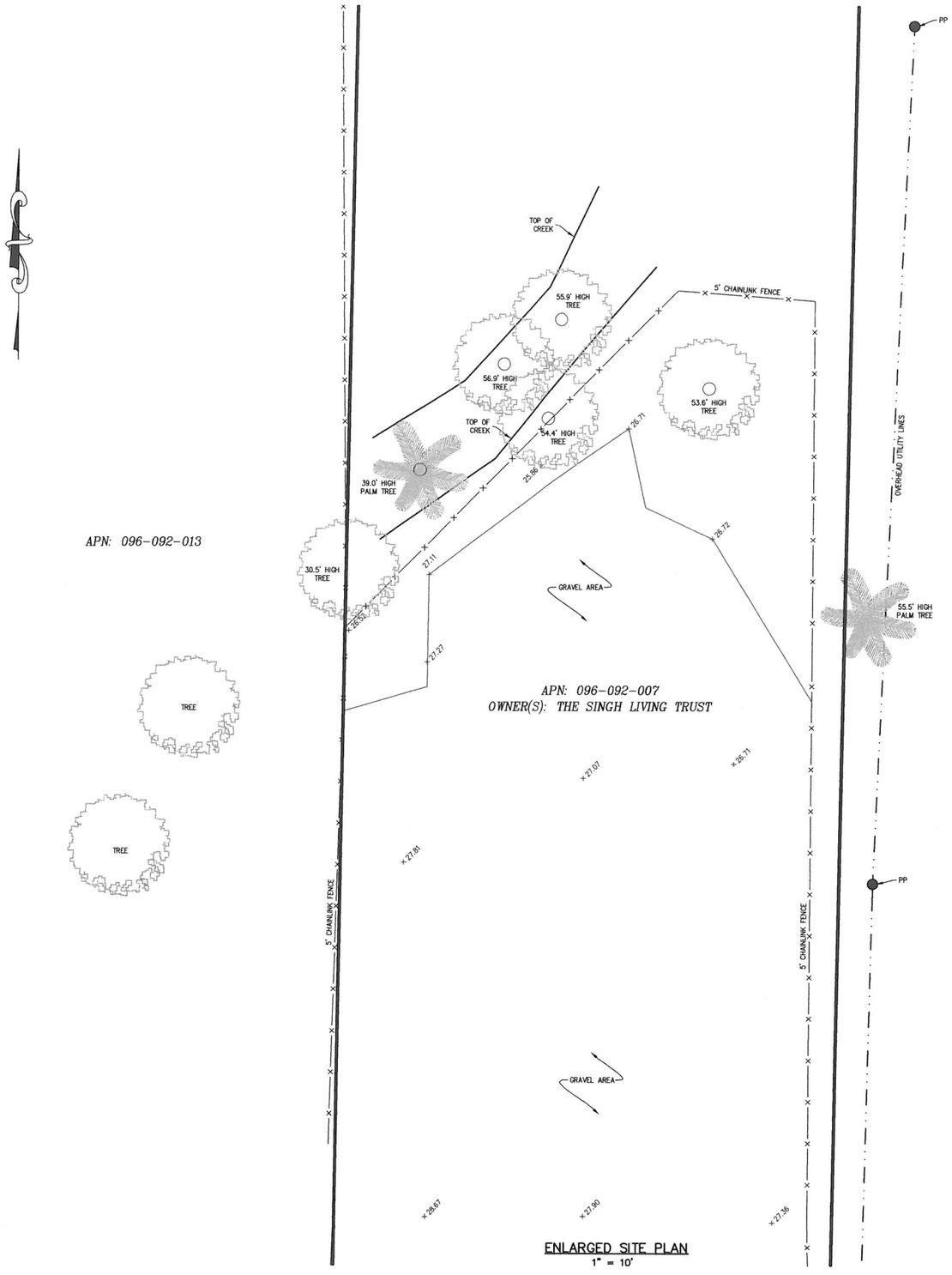
11. AN EASEMENT FOR PIPE LINE AND INCIDENTAL PURPOSES, RECORDED DECEMBER 24, 1945 AS/IN BOOK 857, PAGE 400, OFFICIAL RECORDS.
IN FAVOR OF: STANDARD OIL COMPANY OF CALIFORNIA
AFFECTS: THE NORTHERN 20 FT. OF SAID LAND
>>> PLOTTED AS SHOWN HEREON <<<

13. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS IN THE DOCUMENT RECORDED OCTOBER 19, 1954 AS/IN BOOK 2402, PAGE 346 OF OFFICIAL RECORDS, BUT DELETING ANY COVENANT, CONDITION, OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, GENETIC INFORMATION, GENDER, GENDER IDENTITY, GENDER EXPRESSION, SOURCE OF INCOME (AS DEFINED IN CALIFORNIA GOVERNMENT CODE § 12955(P)) OR ANCESTRY, TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATION 42 U.S.C. § 3604(C) OR CALIFORNIA GOVERNMENT CODE § 12955. LAWFUL RESTRICTIONS UNDER STATE AND FEDERAL LAW ON THE AGE OF OCCUPANTS IN SENIOR HOUSING OR HOUSING FOR OLDER PERSONS SHALL NOT BE CONSTRUED AS RESTRICTIONS BASED ON FAMILIAL STATUS.
>>> NOT PLOTTABLE–BLANKET IN NATURE <<<

14. A RESOLUTION ADOPTING A PLAN OF THE COUNTY OF CONTRA COSTA FOR HIGHWAY SETBACK LINES FOR WILLOW PASS ROAD, A CERTIFIED COPY OF WHICH WAS RECORDED APRIL 6, 1962 AS BOOK 4092, PAGE 357 OF OFFICIAL RECORDS AND AFFECTS THE SOUTHERN 12FT. OF SAID LAND.
>>> PLOTTED AS SHOWN HEREON <<<

15. AN EASEMENT FOR SANITARY SEWER AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1966 AS/IN BOOK 5251, PAGE 217, OFFICIAL RECORDS.
IN FAVOR OF: CONTRA COSTA COUNTY SANITATION DISTRICT NO. 7–A
AFFECTS: THE SOUTHERN 10 FT. OF THE NORTHERN 33 FT. OF SAID LAND.
>>> PLOTTED AS SHOWN HEREON <<<

20. AN EASEMENT FOR RIGHT OF WAY FOR INSTALLATION AND MAINTENANCE OF A TELECOMMUNICATIONS CABLE SYSTEM AND INCIDENTAL PURPOSES, RECORDED AUGUST 21, 2013 AS/IN INSTRUMENT NO. 2013–0208162–00, OFFICIAL RECORDS.
IN FAVOR OF: QWEST COMMUNICATIONS COMPANY, LLC; SPRINT COMMUNICATIONS COMPANY L.P.; LEVEL 3 COMMUNICATIONS, LLC; AND WILTEL COMMUNICATIONS, LLC AFFECTS: A PORTION OF SAID LAND, AS DESCRIBED THEREIN TERMS AND PROVISIONS CONTAINED IN THE ABOVE DOCUMENT.
>>> PLOTTED AS SHOWN HEREON <<<



ENLARGED SITE PLAN
1" = 10'

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

INFRASTRUCT TOWER GROUP
27129 PASEO ESPADA #A-1429
SAN JUAN CAPISTRANO, CA 92675

SMITHCO SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 205-1217 FAX: (661) 205-1288

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION			
NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	SL	01/07/20
1	REV. SITE NAME	SL	01/09/20
2	REDLINES	SL	01/09/20
3	TITLE REVIEW	SL	01/21/20

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DRAWN BY:	SL
CHECKED BY:	DA
DATE DRAWN:	01/07/20
SMITHCO JOB #:	56–1023

SITE NAME

CA-19-001A
PITTSBURG

SITE ADDRESS

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565

CONTRA COSTA COUNTY

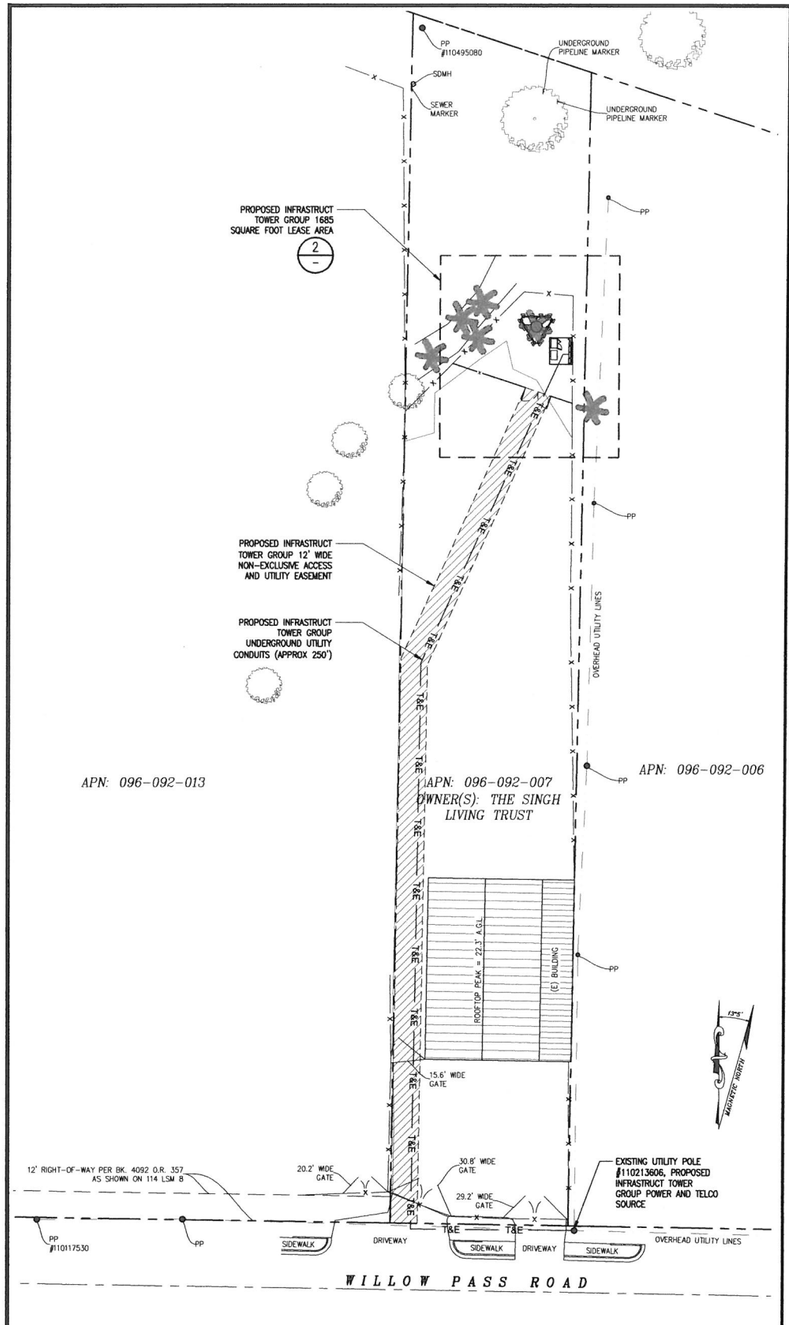
SHEET TITLE

SITE SURVEY

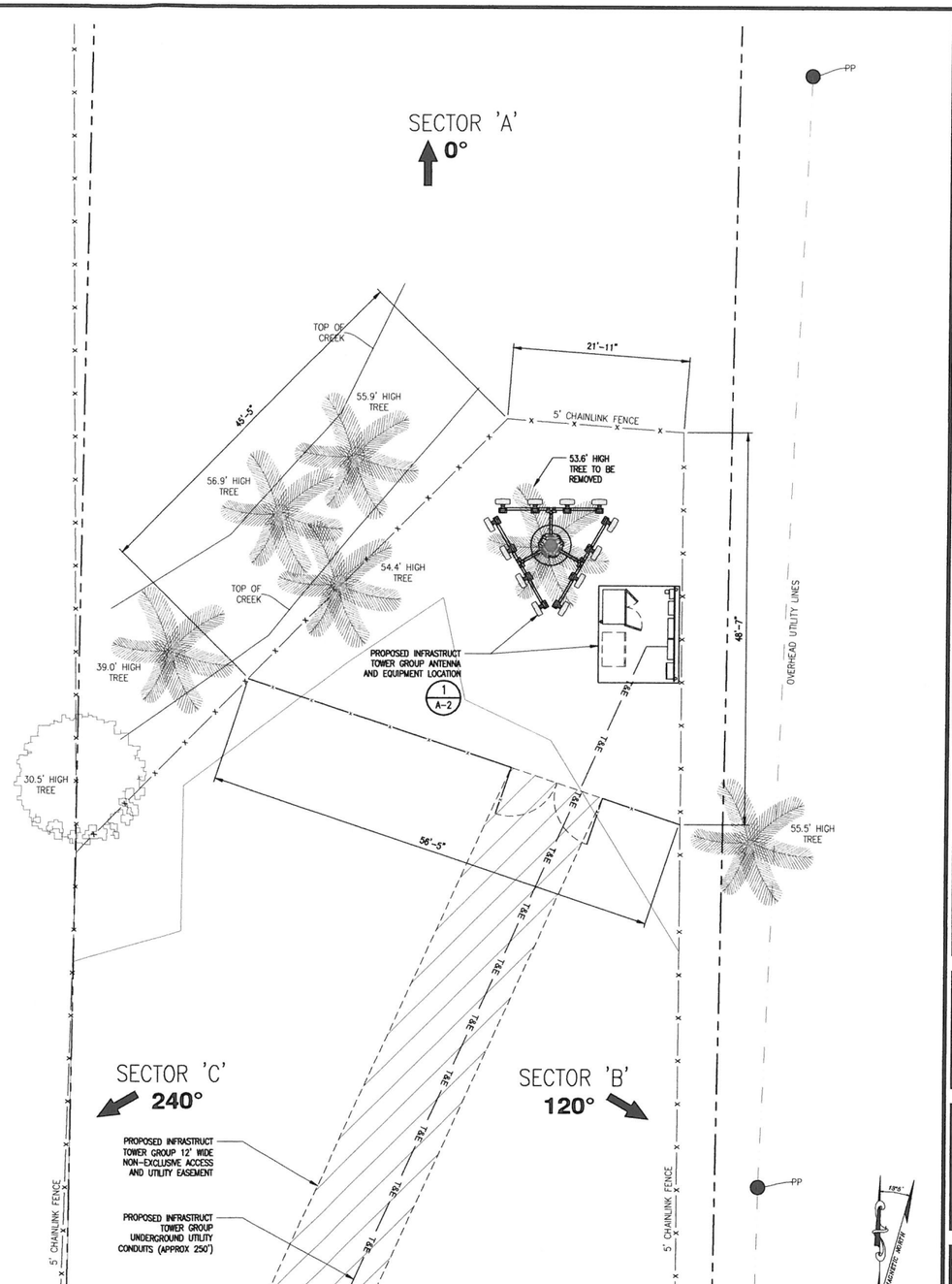
FOR EXAMINATION ONLY

SHEET

C-2



SITE PLAN SCALE: 1"=30'-0" (0, 15', 30') 2



ENLARGED SITE PLAN SCALE: 1/8"=1'-0" (0, 4', 8') 1

APPLICANT

INFRASTRUCT TOWER GROUP

27130 PASEO ESPADA #A-1426
SAN JUAN CAPISTRANO, CA 92675

SITE INFORMATION

PITTSBURG CA-19-001A

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565
CONTRA COSTA COUNTY

REVISIONS

REV	DATE	DESCRIPTION	BY
1	01/13/2020	100% ZD	DC
0	01/10/2020	90% ZD	DC

PROFESSIONAL STAMP

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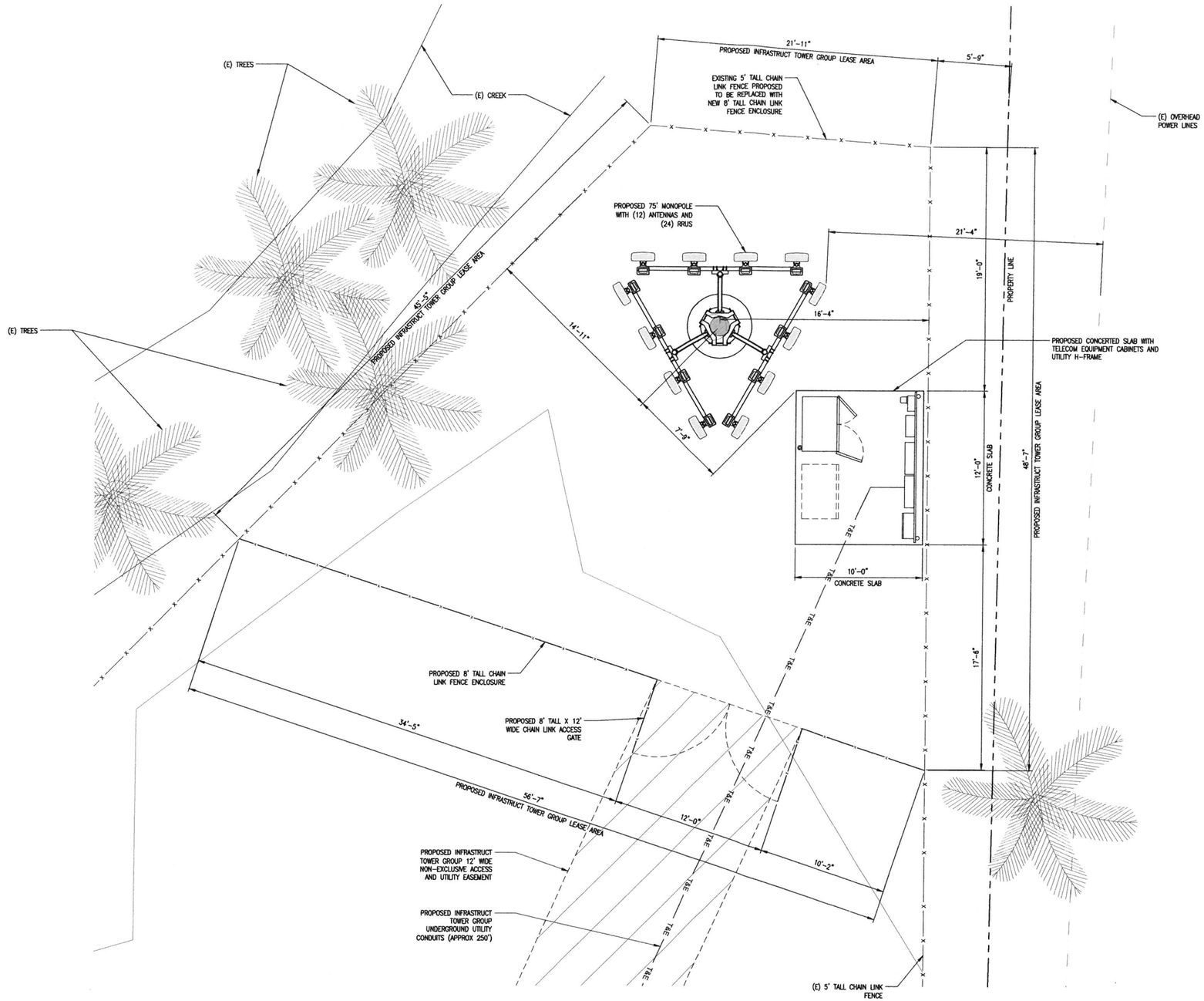
SHEET TITLE

SITE PLAN AND ENLARGED SITE PLAN

SHEET

A-1



LEASE AREA PLAN

SCALE: 1/4"=1'-0" (0, 2', 4') 1

APPLICANT

INFRASTRUCT TOWER GROUP

27130 PASEO ESPADA #A-1426
SAN JUAN CAPISTRANO, CA 92675

SITE INFORMATION

PITTSBURG CA-19-001A

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565
CONTRA COSTA COUNTY

REVISIONS

REV	DATE	DESCRIPTION	BY
1	01/13/2020	100% ZD	DC
0	01/10/2020	90% ZD	DC

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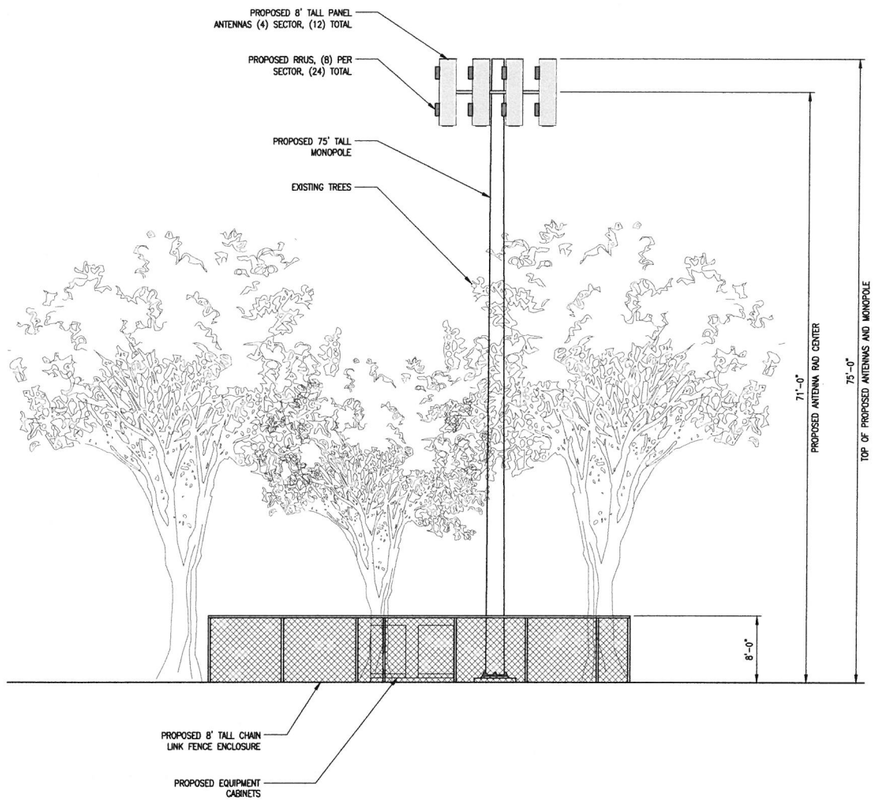
SHEET TITLE

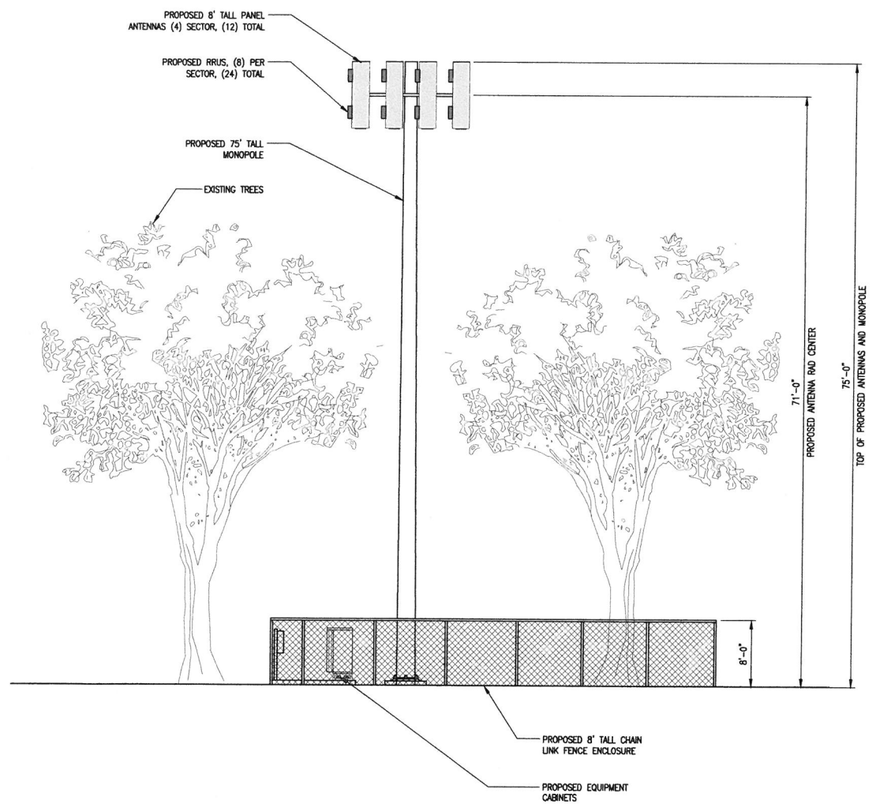
LEASE AREA PLAN

SHEET

A-2



EAST ELEVATION SCALE: 1/8"=1'-0" 0 4' 8' 2



NORTH ELEVATION SCALE: 1/8"=1'-0" 0 4' 8' 1

APPLICANT

INFRASTRUCT TOWER GROUP

27130 PASEO ESPADA #A-1426
SAN JUAN CAPISTRANO, CA 92675

SITE INFORMATION

PITTSBURG CA-19-001A

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565
CONTRA COSTA COUNTY

REVISIONS

REV	DATE	DESCRIPTION	BY
1	01/13/2020	100% ZD	DC
0	01/10/2020	90% ZD	DC

PROFESSIONAL STAMP

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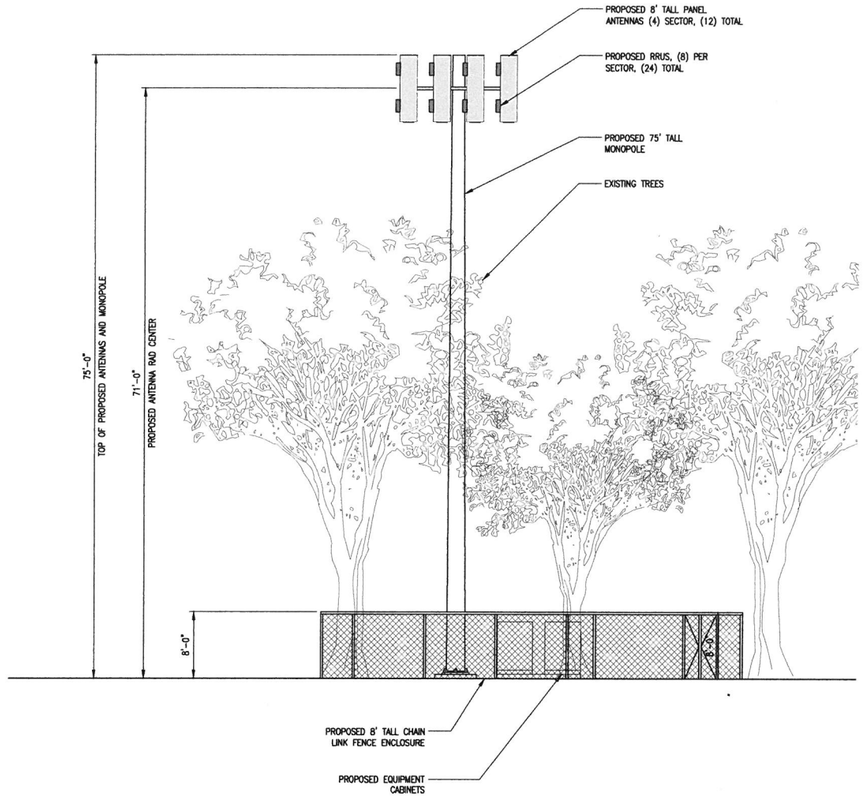
SHEET TITLE

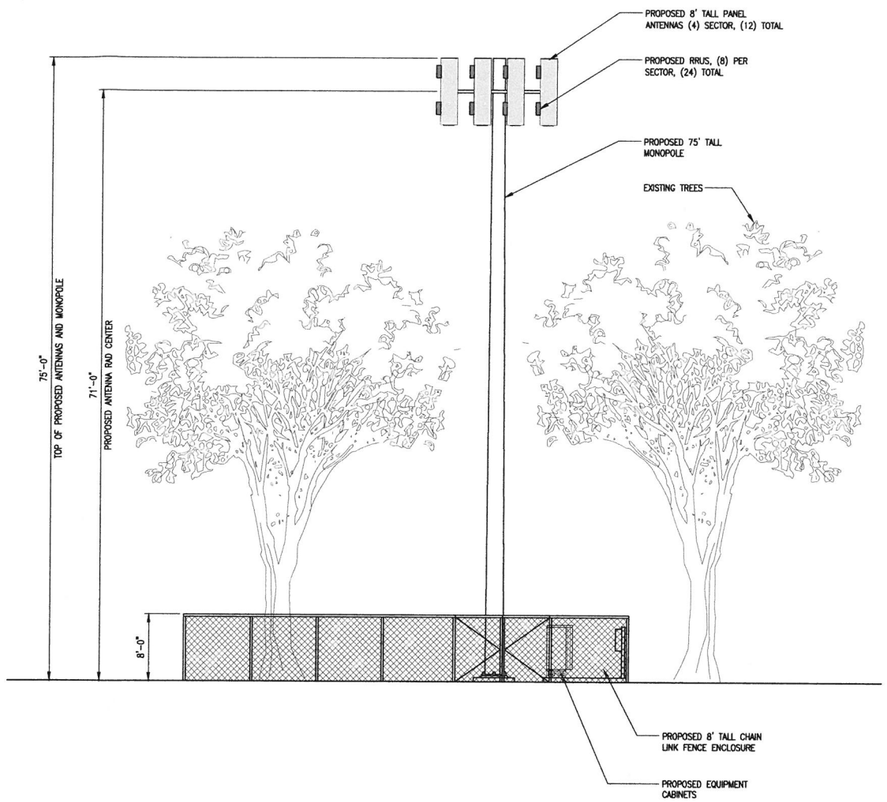
ELEVATIONS

SHEET

A-3



WEST ELEVATION SCALE: 1/8"=1'-0" 0 4' 8' 2



SOUTH ELEVATION SCALE: 1/8"=1'-0" 0 4' 8' 1

APPLICANT

INFRASTRUCT TOWER GROUP

27130 PASEO ESPADA #A-1426
SAN JUAN CAPISTRANO, CA 92675

SITE INFORMATION

PITTSBURG CA-19-001A

1592 WILLOW PASS ROAD
PITTSBURG, CA 94565
CONTRA COSTA COUNTY

REVISIONS

REV	DATE	DESCRIPTION	BY
1	01/13/2020	100% ZD	DC
0	01/10/2020	90% ZD	DC

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SHEET TITLE

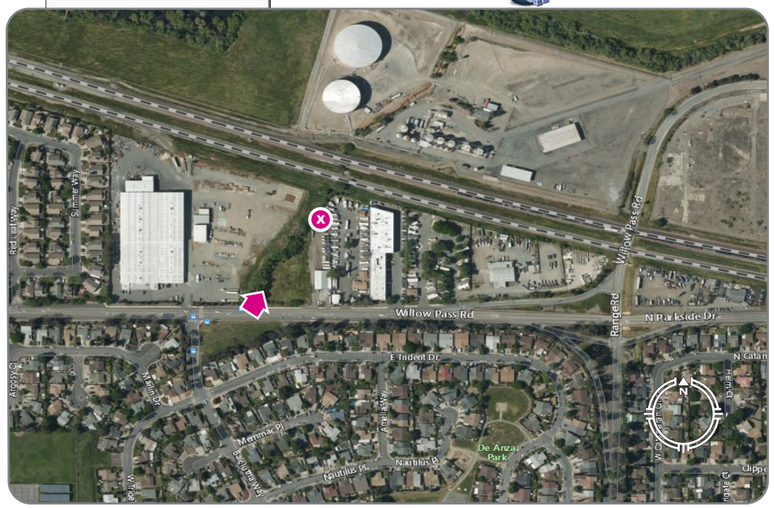
ELEVATIONS

SHEET

A-4

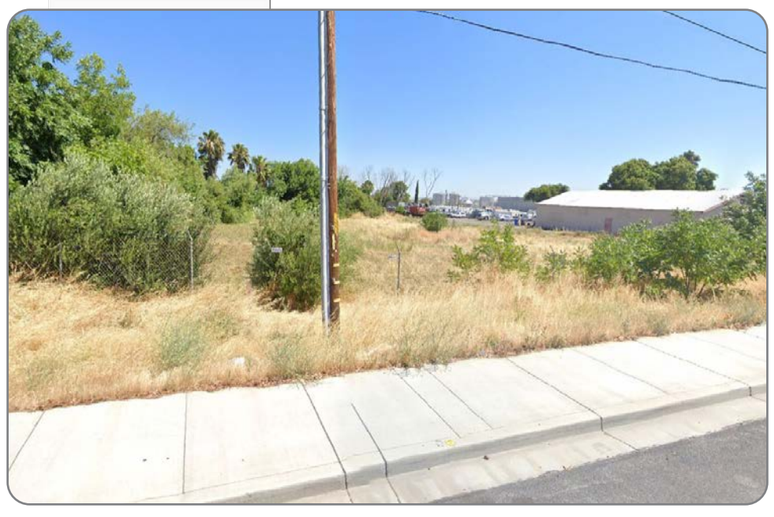
LOCATION

Microsoft® Virtual Earth™



View from the Southwest looking Northeast

EXISTING



PROPOSED



Completed January 21, 2020

CA-19-001A

Pittsburg

1592 Willow Pass Road
Pittsburg, CA 94565

VIEW 1

CONTACT

Infrastruct Tower Group
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p 925.785.3727

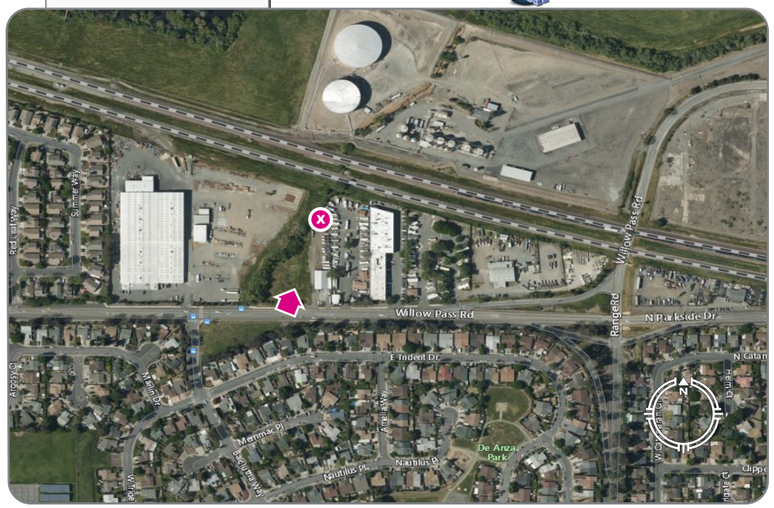
BLUE WATER DESIGN
bluewater-design.net
michelle@bluewater-design.net
p 425.615.0944

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

at&t

LOCATION

Microsoft® Virtual Earth™



View from the Southwest looking Northeast

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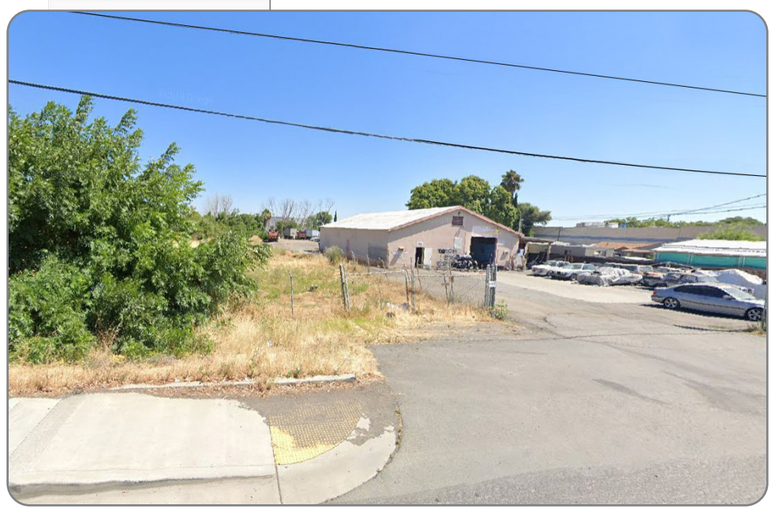

PROPOSED



Completed January 21, 2020

CA-19-001A

Pittsburg

1592 Willow Pass Road
Pittsburg, CA 94565

VIEW 2

CONTACT

Infrastruct Tower Group
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San Juan Capistrano, CA 92675
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Blue Water DESIGN

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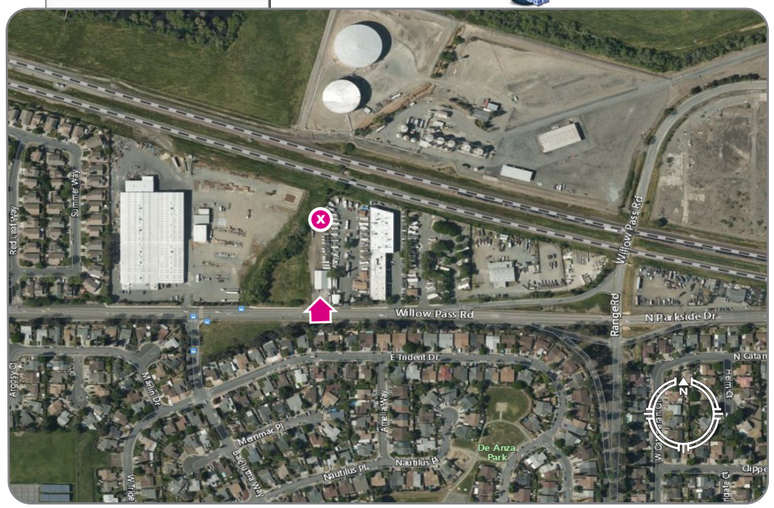
bluewater-design.net
michelle@bluewater-design.net
p 425.615.0944

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

LOCATION

Microsoft® Virtual Earth™



View from the South looking North

EXISTING



PROPOSED



Completed January 21, 2020

CA-19-001A

Pittsburg

1592 Willow Pass Road
Pittsburg, CA 94565

VIEW 3

CONTACT

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Blue Water DESIGN

BLUE WATER DESIGN
bluewater-design.net
michelle@bluewater-design.net
p 425.615.0944

Photo simulation accuracy is based on information provided to Blue Water Design by the applicant.

INFRASTRUCT TOWER GROUP

March 24, 2020

City of Pittsburg
Community Development Department – Planning Division
Attn: Celina Palmer
65 Civic Ave.
Pittsburg, CA 94565

Re: Application No. AP-20-1497 / 1592 Willow Pass Rd. / APN 096-092-007

Dear Ms. Palmer,

Thank you for your review and comments on application AP-20-1497 and the phone call to discuss. Please find the following responses and charts to address each of these points.

1. SCREENING – In designing this facility, multiple design/placement options were considered to minimize visual impact, while still accomplishing the wireless telecommunications coverage/capacity objectives for this facility, including ensuring the proposed site is suitable for co-location (able to accommodate multiple carriers on the same pole) as recommended by City of Pittsburg code.

   Here are main design options that were considered:

   - *Faux Tree* - Because this site is zoned IG (General Industrial District), the option of a faux tree to screen antennas was ruled out because the surroundings are industrial and a faux tree doesn't visually integrate well. From experience working with other cities/counties in the South and East Bay, recently most jurisdictions have opted against the practice of permitting new faux trees in industrial zones since they tend to stick out as an anomaly, more than a standard monopole which appears and looks industrial. Typically, faux trees are reserved for forested areas, parks, etc. Another factor in deciding against a faux tree is this design limits the site's potential coverage area. With a monopole design, antennas are mounted at the top of the pole. Whereas, with a faux tree the antennas can only be mounted 5' below the top of the pole in order to allow room for branching and the conical shape of the tree. That reduced height means the antennas cover or provide service for less of the surrounding area.

- *Slim Line (radome cannister)* – Slim line designs have significant drawbacks. One, they are not co-locatable, only one carrier can occupy the pole. That would defeat one of the primary objectives of this site which is to be suitable for multiple carriers. Two, a radome cannister impedes antenna signal and reduces a site's potential capacity (ability of the site to handle volume of calls/data use). Three, Remote Radio Units (RRUS) cannot be installed next to the antennas within a radome cannister due to heat and lack of space which creates signal loss (placing the RRUS next to the antennas prevents signal loss). Four, a slim-line pole doesn't allow all antennas to be at the same center-line which limits coverage. Generally, slim line poles are not pursued by carriers save for instances such as a dense urban areas where a rooftop is unavailable/unsuitable. For an industrial area like this where a monopole can visually integrate, the industry standard three-sector monopole is preferred as it provides the most optimum coverage and capacity (thereby reducing the need to build additional sites in proximity to account for the limited coverage/capacity of less capable sites).

Generally, because this site is an IG zone, a standard three-sector array monopole would seem most suitable because its appearance is industrial.

In order to reduce the potential visual impact of the site, one of the primary factors considered was the proposed location of the facility. Rather than locate the facility nearer to the main thoroughfare (Willow Pass Rd) to the south, the proposed location was selected because it is 250 ft. back/away from that thoroughfare in a rear parking lot behind an industrial building. Due to that distance from Willow Pass Rd., as well as a few trees to the west of the proposed site that partially obstruct the view of the facility from Willow Pass Rd., that street view is quite limited. From Willow Pass, the pole is only visible in two spots and only if a driver were looking far off to the side (not paying full attention to the road). To the north of the site are train tracks, open space and more industrial facilities (energy/oil plant).

2. ALTERNATIVE SITES – Several alternative sites were considered and pursued though ruled out for various reasons.

- 1666 Willow Pass Rd. – This is the property immediately west of the proposed site, occupied by a steel and sheet metal facility. This landlord was unwilling to discuss leasing space. Additionally, this property is closer to the residential area that's even further west. In terms of visual impact, the proposed site at 1592 Willow Pass Rd. is more ideal because its further away from that residential tract.

- 1534 Willow Pass Rd. – This is the property immediately east of the proposed site. In walking this site there wasn't a large enough ground area available that could accommodate the proposed facility and its ground equipment.

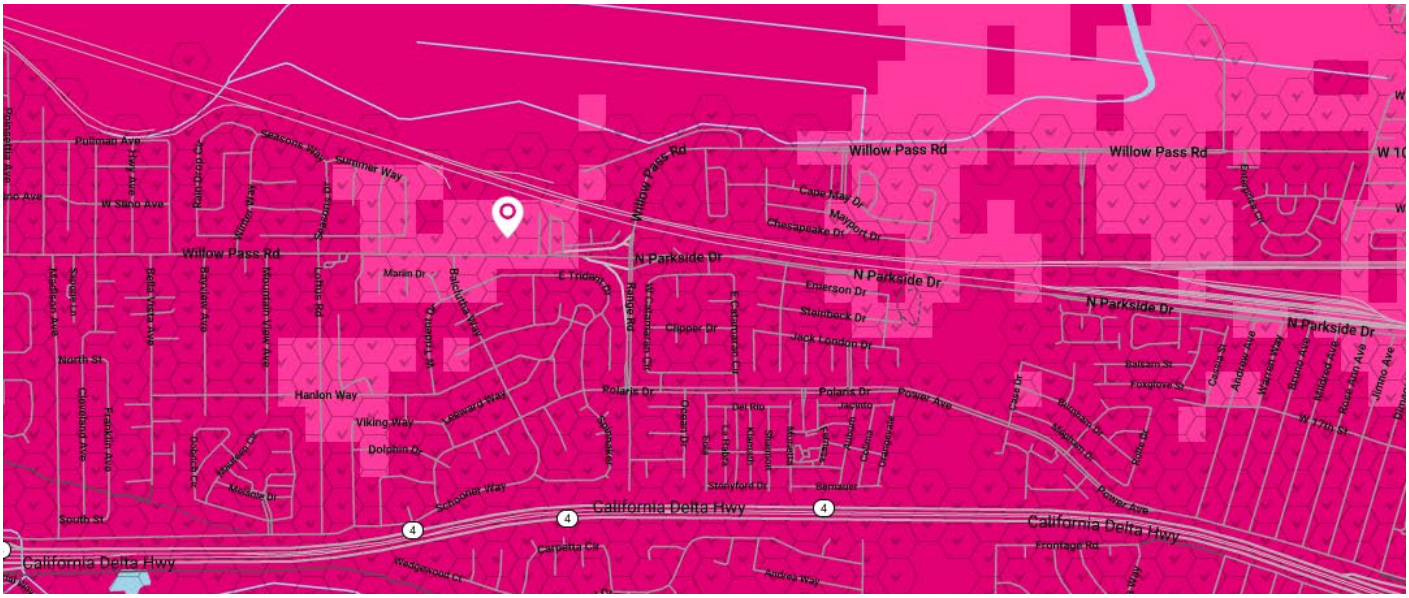
- 1500 Willow Pass Rd. – Negotiations were entered into with this property owner to potentially lease space on this parcel though discussions could not come to suitable terms. All the same, the proposed location of 1592 Willow Pass Rd. is more ideal because there are industrial/commercial businesses on either side of the property. Also, 1500 Willow Pass Rd. is a narrower property so the facility couldn't be located as far back from Willow Pass Rd. as what's currently proposed at 1592 Willow Pass Rd. (approx. 250 ft).

- Further east of 1500 Willow Pass Rd. is unsuitable because it's too close to T-Mobile's existing sites in east and south Pittsburg, as shown here (upper left corner is the proposed facility at 1592 Willow Pass Rd. and T-Mobile's next closest sites are the yellow pins).



3. OBJECTIVES – The objectives for the proposed facility at 1592 Willow Pass Rd. is to close a significant gap in LTE coverage as shown in the below coverage map. The light pink area represents what area this gap affects, including a stretch of Willow Pass Rd. (the only section of this main thoroughfare that isn't adequately covered as shown in the map) as well as the area west of the site which is largely residential. In addition to handling coverage, the site will offload a capacity strain on the two

nearest sites (south and east), thereby increasing usage capacity for residences and businesses in those areas too. T-Mobile does not disclose the location and numbers of its subscribers but factoring in daily commuters Willow Pass Rd. and the residences to the west, the numbers who would experience enhanced service is thousands. Note that gap in coverage represents LTE (Long Term Evolution or 4G) so the subject area is currently operating years behind current technology when it comes to wireless service. As well, every site T-Mobile builds is towards its 5G network so the new monopole will serve as part of the eventual nation-wide 5G network.



In addition to immediate objectives for T-Mobile, another objective for this facility is co-location. Given the location on Willow Pass Rd., assuming the pole is tall/high enough to accommodate multiple carriers, the facility can eventually serve other carriers as their user data rates expand and there's need to fill in their network in this area to provide greater capacity.

4. HEIGHT – The proposed height of 75' is designed in view of the height limitation as well as the "additional height allowance" permissible in the IG district per Pittsburg Municipal Code 18.54.120, *An increase over the maximum height allowance is allowed in the IL and IG districts equal to the number of additional feet the structure is set back from each property line beyond the minimum yard requirements, up to a maximum height of 75 feet.*

   Per the Pittsburg Municipal Code 18.84.930 C.2, *No wireless telecommunications facility shall exceed or project above the height limits specified for the base district in which the facility is located.* In this case, the IG district.

There are two key reasons for the proposed height of 75'.

a) To ensure the monopole is co-locatable by more than one carrier. For co-locations, the general rule is there must be 12' separation between the centerline of Carrier #1's antennas and the centerline of Carrier #2's antennas. Assuming the antennas are 8' tall, if the monopole was only 50', that would mean T-Mobile's antennas would be mounted at 46' (so the antennas wouldn't protrude higher than 50'), which means the highest a 2nd carrier could mount their antennas would be 36'. That is often too low for most carriers to consider co-location. Further, there'd be no possibility that a 3rd carrier could co-locate on a 50' pole in this type of location (no elevation, set back from the main road).

   Part of the reasoning for identifying a location within the IG district, as well as positioning the facility near the rear of the property, approx. 250' back from the front property line and Willow Pass Rd., was thinking with the potential of qualifying for the "additional height allowance" per Pittsburg Municipal Code 18.54.120 – up to 75'.

b) Another factor, as shown on the site plan is there are 30' - 50' trees between the facility and Willow Pass Rd., as well as to the west of the facility. For the facility to be attractive and use-able by carriers, their antennas need to clear surrounding trees.

Given one of the primary objectives of the proposed facility design is co-locations (multiple carriers on one pole/facility rather than each carrier building its own facility), the height of 75' is requested.

5. HEIGHT – As per Pittsburg Municipal Code 18.54.120, there is an "additional height allowance" up to 75' in the IG district. With this application, it is requested to qualify for that allowance as per the above information and reasons.

6. COLORS/MATERIALS – Adding to the response given in #1 above, the proposed design is a monopole so as to be consistent with the visual surroundings of the IG district. The color of the equipment is shown in the photo simulations provided. This is a light gray. Rather than paint/texture the pole/equipment that could potentially make the pole/equipment unnecessarily stand-out, the light gray would seem to fit with the surrounding buildings and visual of an industrial area.

7. RRUS/RELATED EQUIPMENT – Wireless technology is constantly evolving, including the model of antennas carriers use. By the time this monopole is constructed, it could be early 2021 and the antenna models in use may be different but they'd be about the same size as the antennas being

used now. These are the most common T-Mobile antennas in use now:

- Air B2A/B4P – 55” x 12” x 7.9”
- RFS APXVAARR18 – 72” x 24” x 8.5”
- RFS APXVAARR24 – 95.9”x 24” x 8.7”

Radios are placed behind the antennas so they’re largely not visible. Their sizes range from:

- 16.5” x 13.4” x 5.9” up to 26” x 18” x 8”

8. ADDITIONAL QUESTIONS – Yes, the proposed design of the facility will allow other carriers to co-locate on the pole. As covered, co-location is a primary objective of the proposed design.

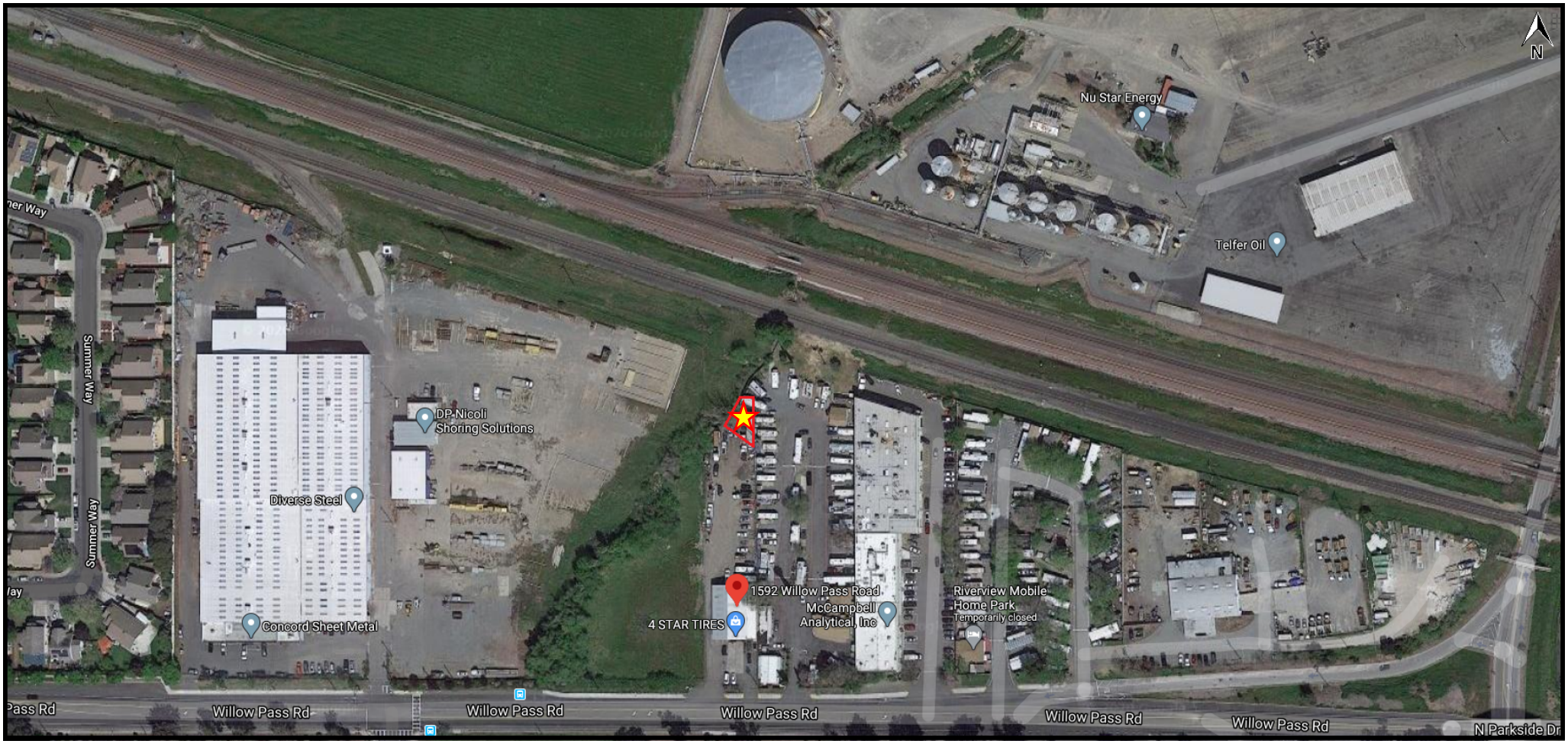
If there are any further questions, my contact information follows. Thank you.

Regards,

Shane Woodruff
(949) 426-6530
shane@tsjconsultinginc.com

Attachment 3
Map of Surrounding Uses
T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)

Project Site



Attachment 4
Applicable General Plan Goals and Policies
T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)

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-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 underutilized 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 'Northwest River Subarea' of the General Plan and has a land use designation of 'Industrial'. Surrounding uses include industrial uses and a mobile home park. The proposed project would be compatible with the surrounding uses in that the telecommunications facility use is permitted in this district and is compatible with the surrounding uses. The proposed site is in compliance with Federal regulations regarding radio frequency emissions. At the nearest walking/working surfaces to the T-Mobile antennas, the maximum power density generated by the T-Mobile antennas is approximately 4.80 percent of the FCC's general public limit (0.96 percent of the FCC's occupational limit) at the ground. Based on worst-case predictive modeling, there are no modeled exposures on any accessible ground level-walking/working surface related to T-Mobile's equipment in the area that exceed the FCC's occupational and/or general public exposure limits at this site.
2-G-35: Preserve existing wetlands and salt mashes along the Suisun Bay.	**Consistent.** The proposed project would not occur on the wetlands or salt marshes.
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 permitted use in the general industrial zoning district in which it is located. Further, the proposed project would close a significant gap in LTE (long-term evolution) coverage and would enhance services for a significant number of residents.
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 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 infrastructure can be provided.
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 would not generate additional trips.
Economic Development Element	
6-G-3: Undertake a leadership role in the coordination and completion of infrastructure improvements, and in the facilitation of environmental remediation.	**Consistent.** The proposed project would close a significant gap in LTE (long-term evolution) coverage and would enhance services for a significant number of residents.
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.** Although the project will not increase the number of trips, the project site is within 300 feet of a bus stop for weekday routes 380 and 387 and weekend and holiday routes 392 and 394.
Resource Conservation Element	
9-G-10: Reduce the potential for human discomfort or illness due to local concentrations of toxic contaminants, odors and dust.	**Consistent.** The proposed site is in compliance with Federal regulations regarding radio frequency emissions. At the nearest walking/working surfaces to the T-Mobile antennas, the maximum power density generated by the T-Mobile antennas is approximately 4.80 percent of the FCC's general public limit (0.96 percent of the FCC's occupational limit) at the ground. Based on worst-case predictive modeling, there are no modeled exposures on any accessible ground level-walking/working surface related to T-Mobile's equipment in the area that exceed the FCC's occupational and/or general public exposure limits at this site.
Health and Safety Element	
10-G-7: Locate development outside of flood-prone areas unless mitigation of flood risk is assured.	**Consistent.** The proposed project is located and entirely contained in an area of 0.2 percent annual chance flood hazard (Zone X).
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.
10-P-38: Ensure that critical facilities, including medical centers, police and fire stations, school facilities, and other structures that are important to protecting health and safety in the community, remain operative during emergencies.	**Consistent.** The proposed project would close a significant gap in LTE (long-term evolution) coverage and would enhance services for a significant number of residents ensuring that they are able to contact emergency services.
Public Facilities Element	

11-G-9: Assess the adequacy of public utilities in existing developed areas, and program needed improvements to coordinate with developing portions of the Planning Area.	**Consistent.** The proposed project would close a significant gap in LTE (long-term evolution) coverage and would enhance services for a significant number of residents.
11-G-10: Encourage buffer landscaping and multi-use of utility sites and rights-of-way to harmonize with adjoining uses.	**Consistent.** There is an existing landscaping area along the project site frontage.
11-P-33: As a condition of approval, ensure that all new and redevelopment projects underground utility lines on and adjacent to the site	**Consistent.** The project proposes underground utility conduits.
Noise Element	
12-G-3: Continue efforts to incorporate noise considerations into land use planning decisions and guide the location and design of transportation facilities to minimize the effects of noise on adjacent land uses.	**No conflict.** The proposed project would produce little noise to effect adjacent land uses.

Attachment 5
Property Development Regulations Table
T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)

Development Regulations: *IG (General Industrial) District*	**Required:**	**Proposed:**
Minimum lot area (ac.)	20,000 SF	Approximately 43,000 SF (existing)
Minimum lot width (ft)	100 ft	80.38 ft (existing)
Max. Lot Coverage:	75%	11.6%
Minimum Yards:	-	-
Front:	25 ft	Approximately 75 ft. (existing structure)
Side:	-	Approximately 0 ft. (existing structure) 6 ft (proposed equipment location)
Rear:	-	Approximately 120 ft. to proposed equipment location
Maximum height of structures (ft):	50 ft	75 ft*
Maximum FAR	0.8	0.12
Minimum site landscaping	10%	21% open undeveloped space + 0.8% frontage landscaping

* **18.54.120 Additional height allowance.**

An increase over the maximum height allowance is allowed in the IL and IG districts equal to the number of additional feet the structure is set back from each property line beyond the minimum yard requirements, up to a maximum height of 75 feet. To be entitled to additional height, the building or structure setback must exceed the minimum on all sides. See also, height limit exceptions (PMC 18.80.020).

Attachment 6
Development Review Design Guidelines
T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)

Design Review Guideline	Meets Guideline?
IV.a: Parking areas should be screened from view from any public right-of-way (beaming or hedge-type plant material). Parking areas should be broken up (landscape islands, projections, etc.) to eliminate vast areas of parking especially along street frontages.	**Consistent.** The proposed project does not require any parking. Parking areas for the existing use will remain unchanged. Rear parking spaces are screened by the existing building on site.
IV.b: Provisions should be made for permanent shopping cart corrals in retail shopping centers.	**Not applicable.** This guideline is intended to apply to retail shopping centers.
IV.c: Existing trees on site should be incorporated into the project side design, unless waived by the City Planner or Planning Commission.	**Consistent.** Majority of the existing trees are to remain on site; only one tree will be removed. The tree being removed is a dead Eucalyptus tree and is not a California native. The preservation of this tree would make the project infeasible.
IV.d: Developer should elect, at least, one of the schemes provided in Appendix #1 for screening all utility box transformers, backflow preventers, meters and junction boxes.	**Conditionally.** A proposed condition of approval requires the applicant install slats in the proposed chain-link fence.
IV.e: Projects with many buildings (greater than three) should have a variety of building sizes and masses.	**Not applicable.** There are no new buildings proposed on site.
IV.f: Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 (fifty) feet in length unless architecture or size dictate a greater expanse.	**Not applicable.** There are no new buildings proposed on site.
IV.g: Building entries should be designed as a focal point. They should be designed to set the theme or be the primary feature of the building or commercial center.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.

IV.h: Building elevations (example: rear of shopping centers) visible from public right-of-ways should be addressed in design review and treated appropriately.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
IV.i: A free-standing structure within an existing commercial or industrial center should be architecturally compatible with the center, including but not limited to materials, colors and architectural elements.	**Consistent.** The proposed structure's industrial features are in keeping with the character of the area.
IV.j: All roof mounted equipment should be screened completely from view from all public right-of-ways. A site-line study may be necessary to determine appropriate screening method.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
IV.k: All Structures, including, but not limited to, "tilt-up" type structures, should have structural reliefs and articulated entries (Encourage the creation of shadow lines).	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
IV.l: Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
IV.m: Downspouts should be designed into the façade of the building unless architecturally treated.	
IV.n: Add murals, lattice or some other spaceframe type treatment to blank walls visible from public view.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
IV.o: Prototype or "theme" architecture is discouraged.	**Not applicable.** No themed architecture is proposed.

IV.p: New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
IV.q: The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation (i.e., no loading doors or large blank walls, absence of architectural features found on other elevations, and limited landscaping as typically found on interior property lines).	**Not applicable.** Proposed structure is a wireless monopole and not a building. Additionally, the structure will be set back from the public right of way approximately 350 feet.
IV.r: Trash enclosures should include area for collection of recyclables (example: space for two 90-gallon containers minimum, See Appendix #2 Trash Enclosure Design Standards).	**Not applicable.** No trash enclosures are proposed with this project.
Green Building Design Guideline	**Meets Guideline?**
VI.D.1: Roofs should be designed to integrate renewable energy generation systems and provide a cool urban environment.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
VI.D.2: Parking lot impacts should be minimized.	**Not applicable.** The proposed project does not include changes to the existing parking areas.
VI.D.3: Hardscapes should be constructed with permeable surfaces (e.g. pervious concrete, porous asphalt, unit pavers, and granular materials). Permeable paving consisting of porous above-ground materials, a 6- inch porous sub-base, and a base layer that is designed to ensure proper drainage away from the building and neighboring properties. Alternatively, impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature (e.g. vegetated swale, on-site rain garden, or rainwater cistern).	**Conditionally Consistent.** A proposed condition of approval requires the applicant to comply with all the requirements of the Community Development Department. The Engineering Division of the Community Development Department will provide regulations for the proposed 120 square feet of hardscaping once the applicant submits grading and improvement plans for the project.

VI.D.4: Design choices should incorporate or prepare for electric vehicle charging or used vegetable oil fueling infrastructure.	**Not applicable.** There is no parking requirement for a wireless telecommunications facility.
VI.D.5: Fuel cell technology should be considered for application where (1) space or cost prohibits non-emitting on-site generation (such as solar, wind or geothermal), AND either (2) the heat resulting from fuel combustion is utilized for water or space heating, and/or (3) the fuel cells would be used primarily during peak utility hours.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.
VI.D.6: Reclaimed (purple pipeline) water should be used for as much non-potable water uses as feasible and practical. Landscaping water fixtures using reclaimed water should be purple, and purple and white signage should clearly mark areas that are irrigated with reclaimed water.	**Not applicable.** The proposed use will not require water usage.
VI.D.7: Large commercial and institutional facilities that are anticipated to employ more than 50 employees, should consider providing on-site shops and services for those employees.	**Not applicable.** No employees are expected on site, other than routine maintenance.
VI.D.8: Street side building faces should encourage walking.	**Not applicable.** This item is meant to apply to permanent buildings on a foundation, the proposed structure is a wireless telecommunications facility, and therefore is not applicable.

VI.D.9: Secure bicycle parking facilities should be provided for at least 10% of expected peak hour trips. Bicycle parking structures should complementary to the surrounding structures and may be partially obscured by vegetation or painted with a mural design that is consistent with surrounding aesthetics. Shade trees should be planted if the parking facility is located in an area not shaded by surrounding structures. They should be located in an accessible and visible space to discourage misuse.	**Not applicable.** The proposed project will not require any parking or bicycle parking, and therefore is not applicable.

Attachment 7
Standards of Review for Design Review Applications for Wireless Telecommunications Facilities, PMC 18.84.930

T-Mobile New Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)

Location Criteria	Meets Guideline?
B.1: Wireless telecommunications facilities may be approved on or near historic structures, historic districts, and scenic corridors as defined in the general plan only when the transmission equipment is so concealed as to be invisible from residential areas, public rights-of-way, public parks, and/or other sites as deemed appropriate by the planning commission. The views of, and vistas from, such structures, districts, and corridors shall not be impaired or diminished by the placement of wireless telecommunications facilities and related equipment.	**Not applicable.** This proposed project is not near historic structures, historic districts, or scenic corridors.
B.2: Wireless telecommunications facilities shall be collocated whenever technically feasible and where the collocation does not create an adverse aesthetic impact due to such factors as increasing the bulk, height, traffic or ambient noise created by the proposed wireless telecommunications facilities.	**Consistent.** The proposed design and location could eventually serve multiple carriers. The proposed 75' height is necessary to accommodate additional carriers while remaining withing the allowable height for the IG (General Industrial) District.
B.3: Wireless telecommunications facilities shall be preferred in industrial and commercial districts and shall not be located in residential districts to the greatest extent feasible.	**Consistent.** The proposed project is located in the IG (General Industrial) District.

B.4: Wireless telecommunications facilities proposed in the public rights-of-way shall be sited in accordance with the city's preferences to the maximum extent feasible. In order of most preferred to least preferred, the city prefers wireless facilities placed on: (a) existing city-owned right-of-way structures; then (b) other existing rights-of-way structures; then (c) new rights-of-way structures. The planning commission may authorize a less-preferred placement only when it finds that either (i) no more-preferred locations are available or (ii) placement of a proposed wireless telecommunications facility in the public right-of-way on a less-preferred structure would be less intrusive based on the particular facts and circumstances involved. Nothing in this chapter shall be deemed to give an applicant the right to use or access the public right-of-way without an encroachment permit issued pursuant to Chapter 12.01 PMC.	**Not applicable.** This project is not proposed in the public right-of-way.
Height Requirements	**Meets Guideline?**
C.1: All freestanding wireless telecommunications facilities shall be designed at the minimum functional height required for the coverage area unless the planning commission determines that additional height is needed for architectural reasons.	**Consistent.** The proposed 75' height is necessary to accommodate additional carriers. For co-locations, typically there must be 12' separation between the centerline of Carrier #1's antennas and the centerline of Carrier #2's antennas. Assuming the antennas are 8' tall, if the monopole was only 50', that would mean T-Mobile's antennas would be mounted at 46' (so the antennas wouldn't protrude higher than 50'), which means the highest a 2nd carrier could mount their antennas would be 36'. That is often too low for most carriers to consider co-location. Further, there'd be no possibility that a 3rd carrier could co-locate on a 50' pole in this type of location (no elevation, set back from the main road).

C.2: No wireless telecommunications facility shall exceed or project above the height limits specified for the base district in which the facility is located. For wireless telecommunications facilities proposed in the public right-of-way, the applicable height limit shall be the height limit specified for the nearest private property lot as measured from the lot line to base of the pole or other antenna support structure.	**Consistent.** Per Pittsburg Municipal Code (PMC) section 18.54.115, the maximum height of structures in the IG district is 50 feet. Pursuant to PMC section 18.54.120, an increase over the maximum height allowance is allowed in the IL and IG districts equal to the number of additional feet the structure is set back from each property line beyond the minimum yard requirements, up to a maximum height of 75 feet. To be entitled to additional height, the building or structure setback must exceed the minimum on all sides. This project meets all setback requirements and is proposed approximately 325 feet beyond the front yard setback.
C.3: Wireless telecommunications facilities proposed on an existing building, structure, tower, or pole that is legal nonconforming in terms of height shall not exceed or project above the existing height of the building, structure, tower or pole.	**Not applicable.** The proposed telecommunication facility is not proposed on an existing building, structure, tower, or pole that is legal nonconforming in terms of height.

Design Requirements	Meets Guideline?
D.1: All wireless telecommunications facilities shall be designed and located to minimize and conceal their visibility to the greatest extent feasible by means of placement, screening, and camouflage. Facilities shall be compatible in scale and architecturally integrated with the design of underlying and/or surrounding structures, built environment or the natural setting. The applicant shall use the least visible antennas feasible to accomplish the owner/service provider's coverage or capacity objectives.	**Consistent.** The applicant analyzed multiple screening/camouflaging options for the facility before proposing this project as seen below: *Faux Tree* - Because this site is zoned IG (General Industrial District), the option of a faux tree to screen antennas was ruled out because the surroundings are industrial, where a faux tree typically does not integrate well visually. Another factor in deciding against a faux tree is this design limits the site's potential coverage area. With a monopole design, antennas are mounted at the top of the pole. Whereas, with a faux tree the antennas can only be mounted 5' below the top of the pole in order to allow room for branching and the conical shape of the tree. That reduced height means the antennas cover or provide service for less of the surrounding area. *Slim Line (radome cannister)* – Are not co-locatable, only one carrier can occupy the pole. That would defeat one of the primary objectives of this site which is to be suitable for multiple carriers. A radome cannister impedes antenna signal and reduces a site's potential capacity (ability of the site to handle volume of calls/data use). Remote Radio Units (RRUS) cannot be installed next to the antennas within a radome cannister due to heat and lack of space which creates signal loss (placing the RRUS next to the antennas prevents signal loss). A slim-line pole doesn't allow all antennas to be at the same centerline which limits coverage. For an industrial area like this where a monopole can visually integrate, the industry standard three-sector monopole is preferred as it provides the most optimum coverage and capacity (thereby reducing the need to build additional sites in proximity to account for the limited coverage/capacity of less capable sites).

D.2: Related equipment shall be located inside a building or in underground vaults whenever possible. If related equipment is to be located inside a new equipment building, that building shall be located where it would be the least visible from surrounding properties and the public right-of-way and shall be screened through use of walls, fencing, year-round landscaping, or combinations thereof, which is appropriate in design, height and material to the character of the location and the structure to be screened.	**Conditionally.** Related equipment for the proposed project is to be locate within an 8-foot-tall chain link compound. A proposed condition of approval requires the applicant shall install privacy slats in the chain link fencing surrounding the compound.
D.3: Wireless telecommunications facilities may be integrated into existing or newly developed facilities that are functional for other purposes, including, but not limited to, ball field lights, shopping center freeway signs and flagpoles. All such structure-mounted wireless telecommunications facilities shall be designed to conceal all the transmission equipment, including without limitation the incorporation of radomes and internal cable risers.	**Not applicable.** The proposed wireless telecommunications facility will not be integrated into an existing or newly developed facilities functional for other purposes.
D.4: Architectural additions and/or appurtenances to existing antenna support structures that are intended to conceal wireless telecommunications facilities shall be designed to be appropriate in mass, scale, material, texture, color and character with the existing antenna support structure.	**Not applicable.** No architectural additions and/or appurtenances to existing antenna support structures intended to conceal wireless telecommunications facility are proposed.
D.5: All wireless telecommunications facilities shall comply with the setback requirements of the base district in which the facility is located, including without limitation the support structure and ground-mounted equipment.	**Consistent.** This project complies with all property development regulations for the IG District, as seen in Attachment 5.

D.6: Landscaping shall be planted as the planning commission determines to be necessary or appropriate to minimize the visual impact of the wireless telecommunications facility and, when feasible, to block the line of sight between facilities and adjacent residential uses and residentially zoned properties. The planning commission shall determine the appropriate minimum size of new trees and shrubs. Where appropriate and directly related to the applicant's placement, construction, or modification of wireless telecommunications facilities, the applicant shall maintain and enhance existing landscaping on the site, including trees, foliage and shrubs, when used for screening unless the planning commission approves appropriate replacement landscaping.	**Not applicable.** There are no landscaping areas on site where additional landscaping would reach the height to block the line of sight between the facility and the adjacent residential use.
D.7: Building-mounted facilities shall be architecturally integrated into the existing building. Facade-mounted equipment, not including any required screening, shall not project more than 18 inches from the face of the building or other support structure unless specifically authorized by the planning commission.	**Not applicable.** The proposed facility will not be building mounted.
D.8: Colors and materials for facilities shall be chosen to minimize visibility. All visible exterior surfaces shall be constructed of nonreflective materials and finished to blend with the underlying or surrounding structures or natural environment. Facilities shall be painted or textured using colors to minimize their visual impact.	**Conditionally.** The proposed monopole would be conditioned to be a light gray, non-reflective color, consistent with the visual surroundings of the IG District.
D.9: Newly constructed towers or monopoles should be capable of collocation.	**Consistent.** The proposed design could eventually serve multiple carriers.

D.10: Stealth monopoles disguised as a tree shall be of a height, character and placement that is appropriate to the location. The planning commission may require the applicant to plant additional new trees to blend the mono-tree into the surrounding environment. Stealth monopoles designed to look like a flagpole shall be discouraged.	**Not applicable.** The proposed monopole will not be disguised as a tree.
D.11: Exterior lighting shall not be allowed on wireless telecommunications facilities except for timed or motion-sensitive lights required for use of authorized persons on site during hours of darkness or except as required by the Federal Aviation Administration (FAA).	**Consistent.** No exterior lighting is proposed on this facility accept as required by the FAA.
D.12: Proposed facilities shall not result in a reduced number of available parking spaces below the amount required pursuant to Chapter 18.78 PMC.	**Not Applicable.** The facility is not proposed within an existing parking area.
D.13: All wireless telecommunications facilities shall be designed to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions that would result in hazardous conditions, visual blight, or attractive nuisances. The planning commission may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism when, because of their location and/or accessibility, wireless telecommunications facilities have the potential to become an attractive nuisance. The design of the fencing and other access control devices shall be subject to design review.	**Conditionally.** The proposed wireless facility and related equipment is to be in a compound surrounded by an 8-foot-tall chain-link fence. Conditions have been added that the applicant shall install privacy slats in the chain link fencing, the slats be replaced within 72 hours if damaged or vandalized, and the fence be maintained erect and in a good state of repair
D.14: Wireless telecommunications facilities shall not be used for advertising.	**Consistent.** The proposed wireless facility will not be used for advertising.

Wireless Facilities in the Public Right-of-Way	Meets Guideline?
E.1: Applicants shall install all nonantenna equipment underground in any underground utility district as defined in Chapter 12.36 PMC. In all other districts, applicants must install all nonantenna equipment underground to the extent technically feasible, and the planning commission may require, as a condition of approval, that the applicant underground its nonantenna equipment at the time the project site becomes part of an underground utility district, if ever. This requirement will not be interpreted or applied to require applicants to underground any electric meter or emergency disconnect switch.	**Not applicable.** This project is not proposed in the public right-of-way.
E.2: To minimize aesthetic impacts and the overall visual profile, all pole-mounted equipment must be installed as close to the pole as technically feasible, concealed within a shroud or other appropriate enclosure, painted flat and nonreflective colors to match the underlying pole and oriented away from prominent views. To the extent feasible, pole-mounted equipment must be placed behind existing signs or other pole attachments. All required or permitted signage in the rights-of-way must face toward the street or otherwise placed to minimize visibility from adjacent sidewalks and structures. All conduits, conduit attachments, cables, wires and other connectors must be placed within the pole when possible or otherwise concealed from public view to the extent feasible.	**Not applicable.** This project is not proposed in the public right-of-way.

E.3: Ground-mounted equipment shall be least preferred as compared to undergrounded or pole-mounted equipment. The planning commission may require the applicant to place any ground-mounted equipment in landscaped areas or behind new or existing walls or fences.	**Not applicable.** This project is not proposed in the public right-of-way.
E.4: Antennas should be mounted either flush to the pole or on top of the pole whenever feasible. Antennas must be screened within a radome or other similar concealment technique that covers the entire antenna and all cables, connectors and hardware.	**Not applicable.** This project is not proposed in the public right-of-way.

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

NOTICE OF PUBLIC MEETING

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

DATE: **May 26, 2020**
TIME: **7:00 p.m.**
PLACE: **Streaming Video** **(see public advisory on last page)**

Concerning the following matter:

New T-Mobile Wireless Facility at 1592 Willow Pass, AP-20-1497 (DR)
This is a request for design review approval of plans to construct a new 75' tall monopole tower with 12 antennas and supporting radio equipment, enclosed within an 8' tall chain link compound at 1592 Willow Pass Road in the General Industrial (IG) District. APN 096-092-007.

PROJECT PLANNER: Celina Palmer, (925) 252-4029 or cpalmer@ci.pittsburg.ca.us

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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.

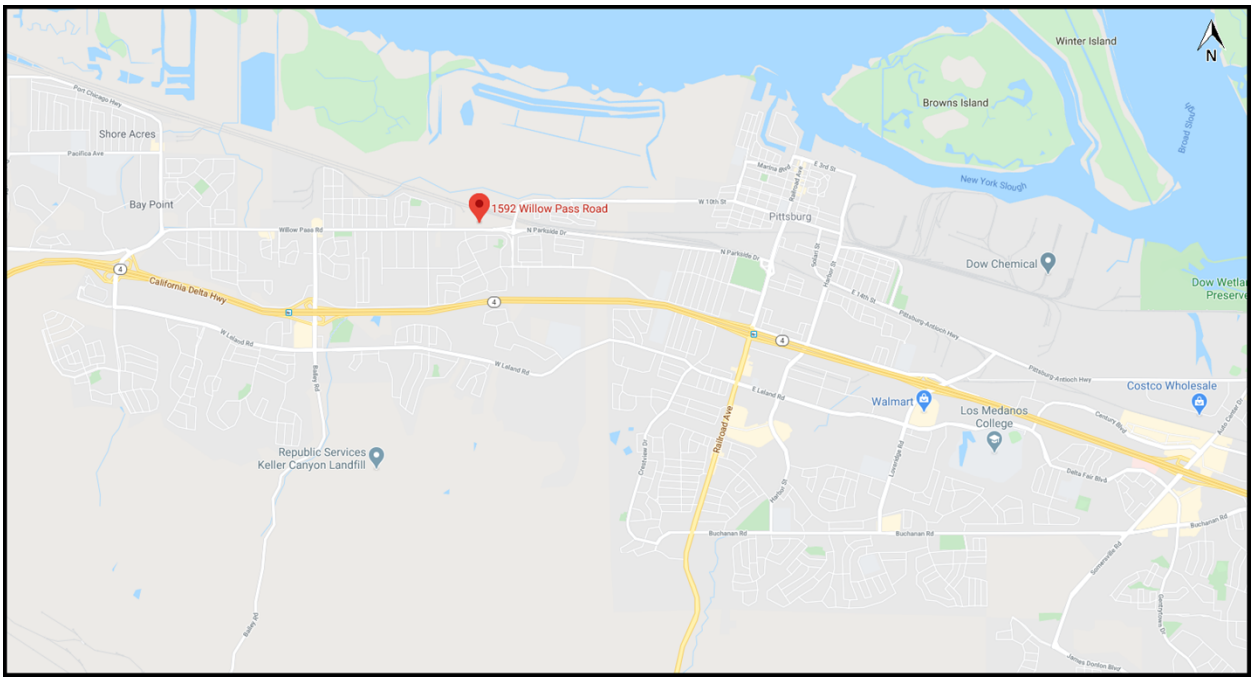
Where can I get more information about this project?
The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

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. Comments during the meeting can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

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

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: New T-Mobile Wireless Facility, AP-20-1497 (DR)
Location: 1592 Willow Pass Road





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

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for May 26, 2020 will be conducted telephonically through Zoom and broadcast live through Granicus on the City's website.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

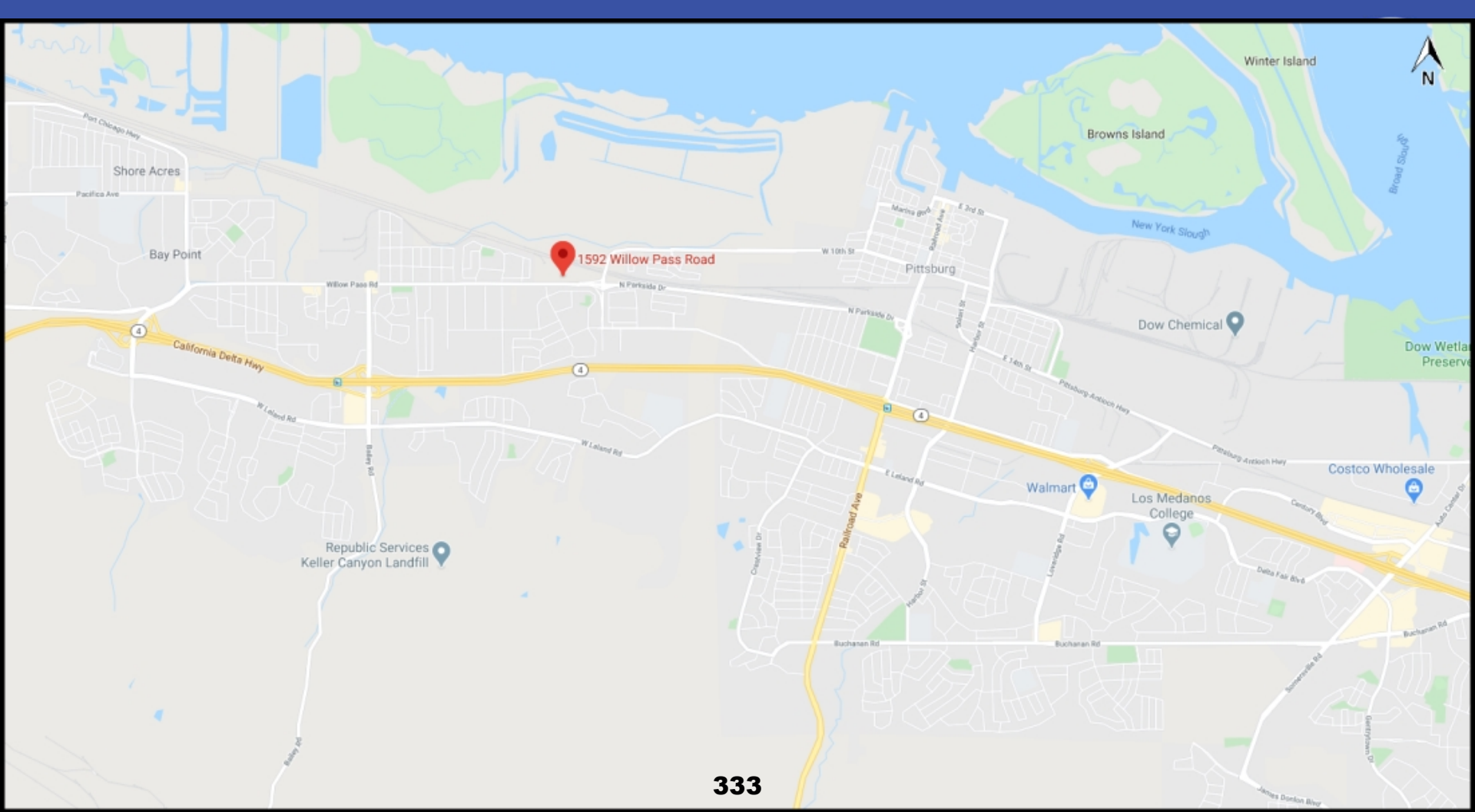
Comments on this item can be submitted via email to: meetingcomments@ci.pittsburg.ca.us

If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate “FOR PUBLIC COMMENT – NON-AGENDA.” Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Twitter, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

City of Pittsburg

T-Mobile New Wireless Facility at 1592 Willow Pass AP-20-1497 (DR)


1592 Willow Pass Road
Winter Island
Browns Island
Broad Slough
New York Slough
N
Shore Acres
Pacific Ave
Port Chicago Hwy
Bay Point
Willow Pass Rd
W 10th St
Marina Bay
Railroad Ave
E 3rd St
Pittsburg
N Parkside Dr
Solano St
Harbor St
E 14th St
Pittsburg-Antioch Hwy
Dow Chemical
Dow Wetlands Preserve
California Delta Hwy
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W Leland Rd
Bailey Rd
E Leland Rd
Walmart
Costco Wholesale
Los Medanos College
Century Blvd
Auto Center Dr
Republic Services
Keller Canyon Landfill
Crestview Dr
Railroad Ave
Lawndale Rd
Delta Fair Blvd
Buchanan Rd
Somersville Rd
Gentry Town Dr
James Donlon Blvd


BNSF & Union Pacific Railroad Tracks
Burlington Northern Santa Fe
Union Pacific
Willow Pass Road
Balclutha Way
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N PARKSIDE DR
RAMP
ETRIDENT DR
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NuStar Logistics
Cerco Analytical Inc.
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BNSF & Union Pacific Railroad Tracks
Burlington Northern Santa Fe
Union Pacific
Diverse Steel Sales, Inc.
D.P. Nicoli Inc.
Levmar Inc.
Bella Vista
Riverview
D Foskett Trucking
Bay Area Washout Systems
Willow Pass Road
Balclutha Way
Willow Landing Subdivision
Twin Harbours Subdivision
Range Road
335


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Wireless Telecommunications Facility

Facility that transmits or receives electromagnetic signals for cellular phone technology.

Such facilities include antennas and related equipment used in the transmission or receipt of communication signals.

Permitted use in IG District.

Proposal

75-foot-tall monopole tower

12 antennas

Supporting radio equipment

8-foot-tall chain-link fence surrounding compound


Project Site
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Willow Pass Rd
WILLOW PASS RD
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Willow Pass Rd
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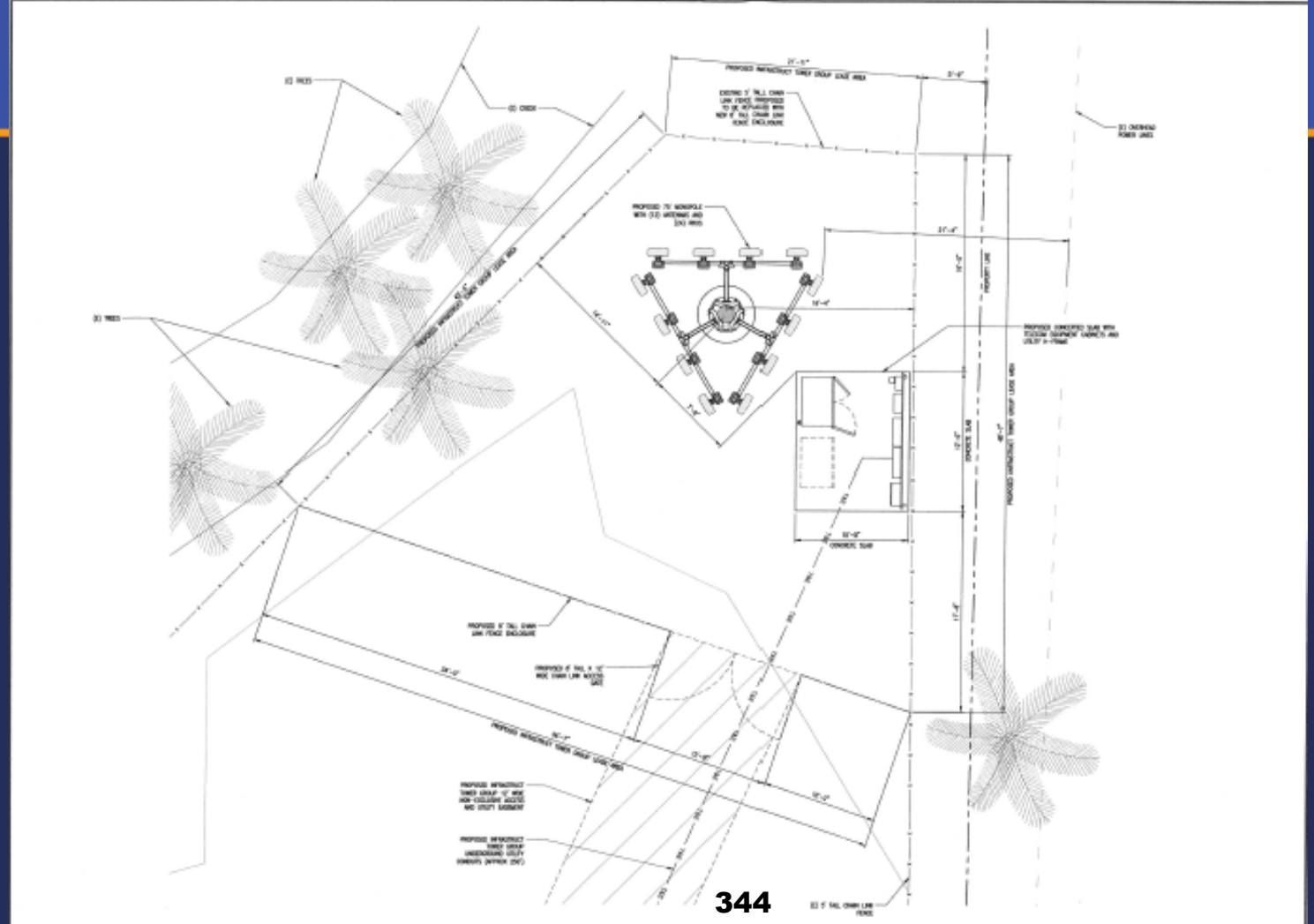

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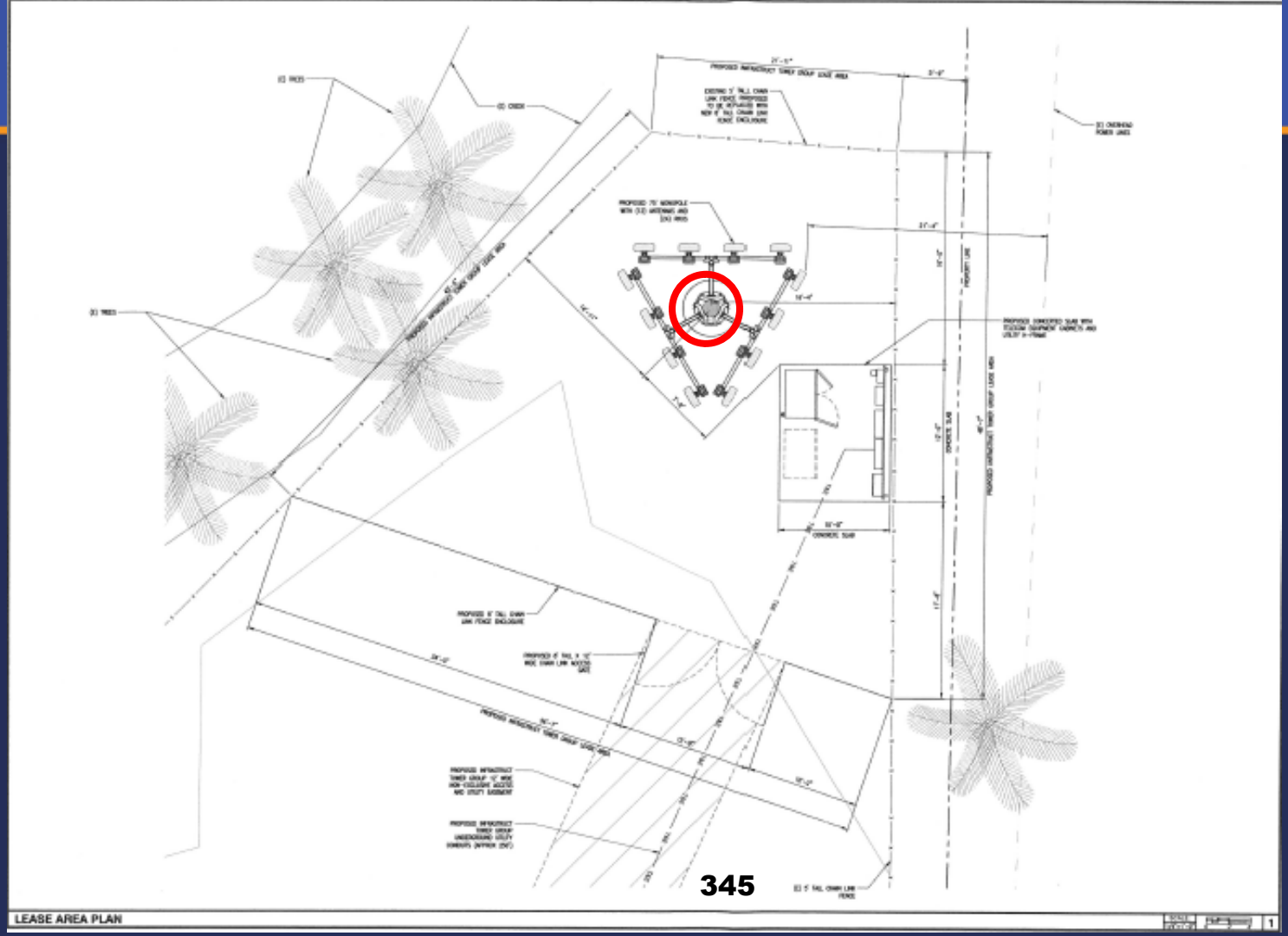
LEASE AREA PLAN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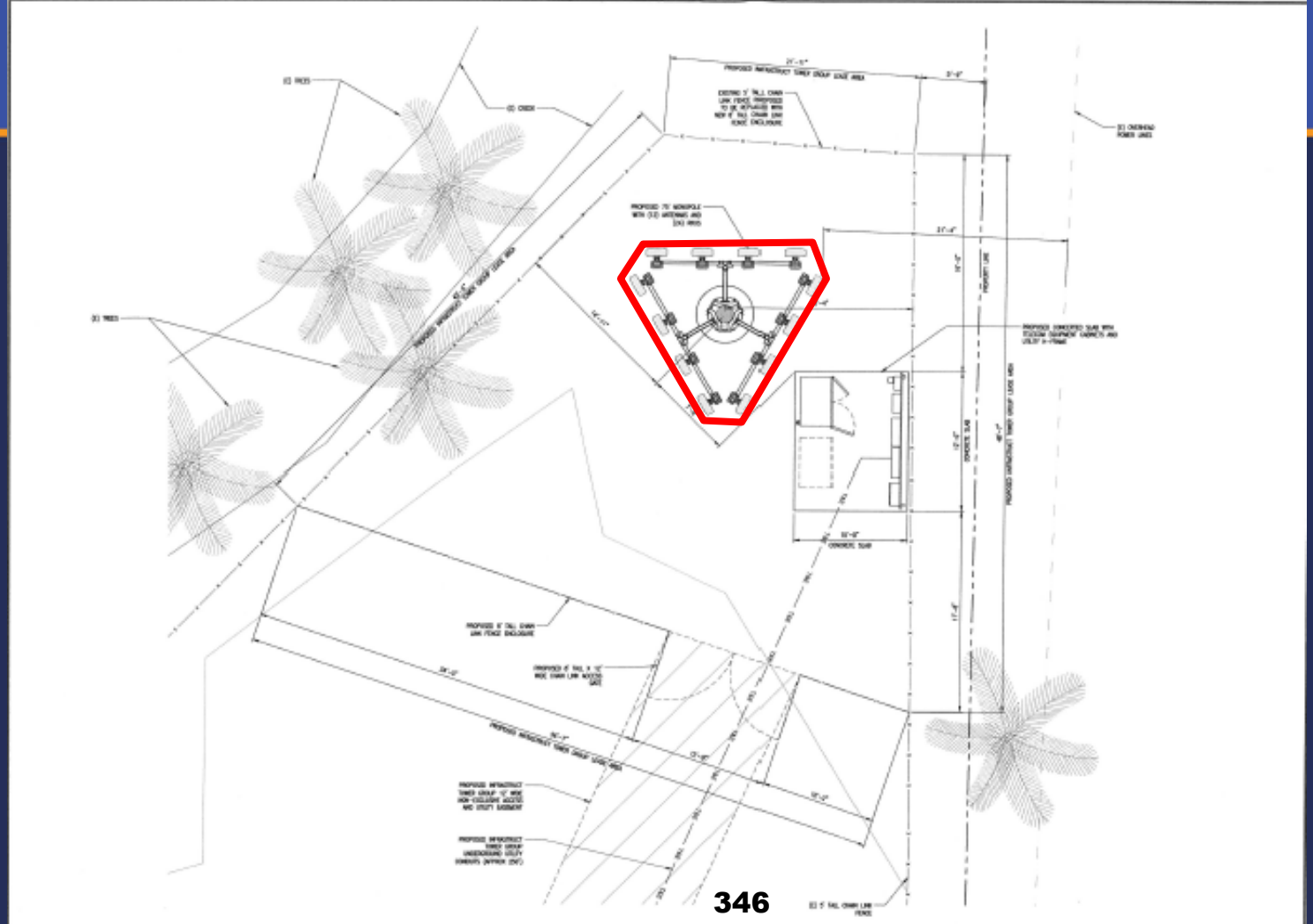
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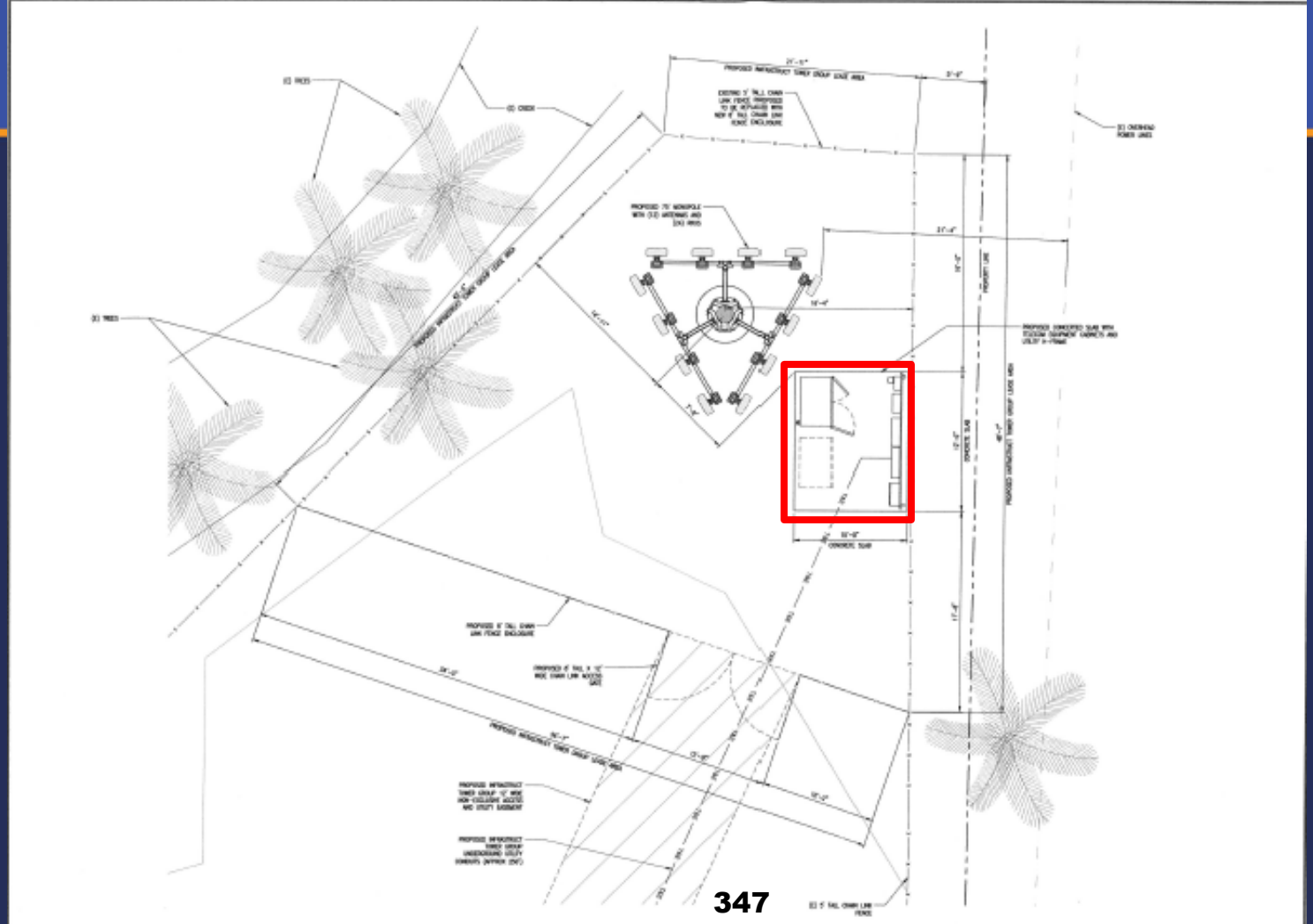

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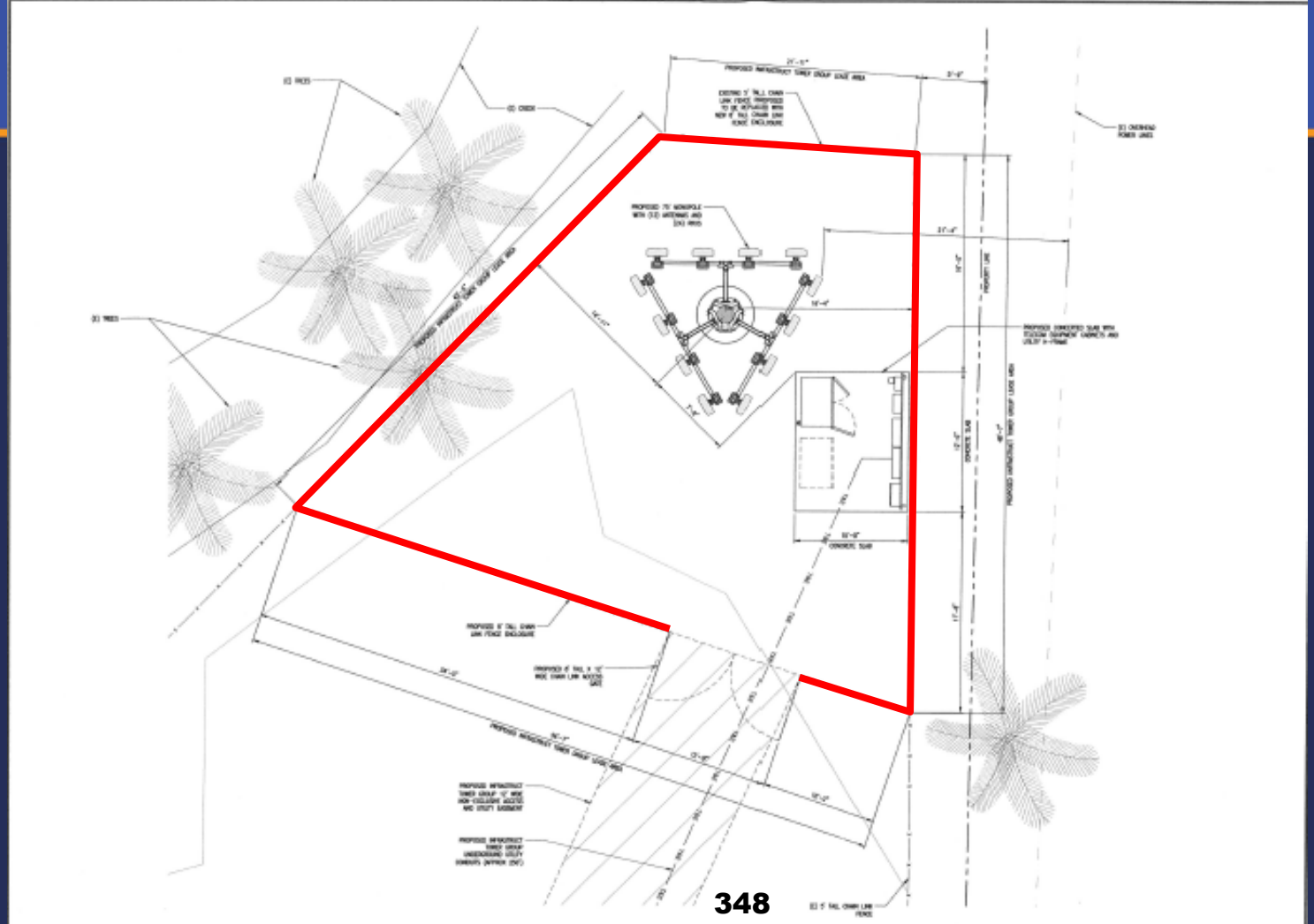

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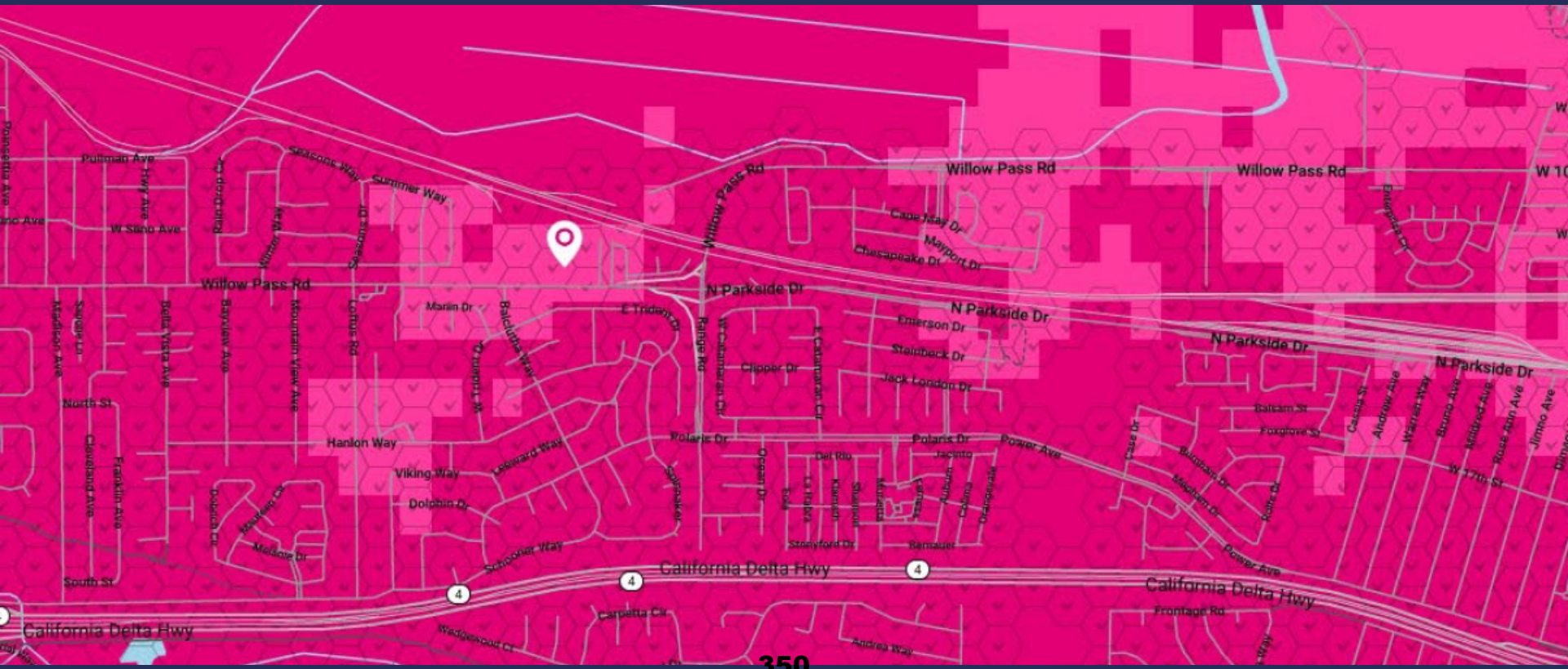
Simulations





T-Mobile LTE Coverage



Design

Proposed monopole is consistent with Industrial District

Faux Tree:	Stands out in industrial area
	Limit coverage area
	No co-location
Slim Line:	Limit coverage area
	No co-location

Height

75-foot-tall monopole

Consistent with PMC

Allows for co-location

Guidelines

Guideline:	Meets?
General Plan Goals and Policies	Consistent
Property Development Regulations	Consistent
Design Review Guidelines	Consistent / Conditionally Consistent
Standards of Review for Wireless Telecommunication Facilities	Consistent / Conditionally Consistent

Conditions

Monopole Finish. non-reflective, to reduce potential for glare, recede into the background industrial equipment (Condition No. 2).

Structure Maintenance. maintained in a good state of repair and the exterior finish must be clean and well maintained. (Condition No. 3).

Fence Maintenance. install privacy slats in the chain-link fencing surrounding the wireless facility compound. replaced if damaged or vandalized. The fence shall be maintained in a good state of repair. (Condition Nos. 5 and 6).

Recommendation

Staff recommends that the Planning Commission **adopt Resolution No. 10148,** approving design review application no. AP-20-1497, **subject to conditions.**

CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 26, 2020

ITEM: **Diablo Energy Storage Project, 2020 Amendment, AP-20-1507 (DR).**

ORIGINATED BY: Kevin Johnson on behalf of Diablo Energy Storage LLC, 5000 Hopyard Road, Suite #480, Pleasanton, CA 94588

SUBJECT: This is a public meeting on a request for design review approval of plans to allow for installation of batteries in cubes and cores as an alternative to the batteries in buildings for the Diablo Energy Storage Project, previously approved by City Council Resolution No. 18-13531. The project site covers a 12-acre portion of the 35-acre Empire Business Park parcel located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. Assessor's Parcel No. 085-280-010.

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 10149 approving Planning Application No. 20-1507, subject to conditions.

BACKGROUND:

On September 1, 2017, Diablo Energy Storage LLC, filed Planning Application No. 17-1270, requesting approval of a use permit and design review approval to construct and operate an energy storage project with up to 200 megawatts of storage capacity, located within three 60,000 sq. ft. buildings at 701 Willow Pass Road. The project also included a tie-line to connect to an existing PG&E substation and associated zoning amendment to allow the use within the existing overlay district.

On August 14, 2018, the Planning Commission held a public hearing on the proposal and subsequently voted 6-1 to adopt Resolution No. 10095, recommending approval to the City Council of the project as proposed.

On September 17, 2018, the City Council held a public hearing and subsequently adopted Resolution No. 18-13531 (contingent on the zoning amendment), which approved the use permit and design review of plans to install the energy storage project in three 60,000 sq. ft. buildings with related accessory equipment and tie-in line to an existing PG&E substation.

On October 1, 2018, the City Council adopted Ordinance No. 18-1456, amending the overlay district zoning for the site and confirming the use permit and design review approvals from the previous meeting.

After receiving all project approvals and the applicant conducted a competitive nationwide selection process for engineering, procurement and construction contractors to construct the project. The applicant selected Fluence (AES/Siemens) to build the battery storage portion of the project based on a more efficient cube and core design.

On March 9, 2020, the applicant filed a design review application requesting modification of the site plan as described above, in order to facilitate the revised project design which would place batteries into individual storage cubes and cores, as opposed to batteries in three large buildings.

It should be noted that if the Planning Commission chooses not to approve the current design review application, the applicant can still construct the project under the previous design review approval issued by the City Council (Resolution No. 18-13531), which remains valid until October 1, 2021.

PROJECT DESCRIPTION:

Existing Conditions: The project site consists of a 12-acre portion of the 35-acre site designated as the Empire Business Park. The site fronts Willow Pass Road to the north and is currently vacant. A dilapidated chain-link fence with a barbed wire top currently runs along the northern and eastern site boundaries. A stormwater detention and treatment basin also runs along the northern property boundary parallel to Willow Pass Road within the City right-of-way; however, this area has been illegally filled by unpermitted dumping, and thus is not adequately retaining or treating stormwater as-is. Lastly, overhead power lines run along the northern property boundary, and are the only remaining overhead lines along this stretch of Willow Pass Road/West 10th Street.

Surrounding Land Uses: The project site is surrounded by a mix of light industrial, utility and low-density residential land uses. Adjacent lands north of Willow Pass Road are industrial in use. The portion of the subject parcel to the south of the project site is developed as an approximately 400,000 square foot commercial warehouse-style structure with associated parking and truck loading docks. Adjacent lands to the east of the site consist of a paved commercial entrance road between the project site and a residential subdivision. Adjacent lands to the west of the site include a paved entrance to the industrial development to the south, a graded undeveloped area, and a high voltage electric transmission line corridor, approximately 900 feet wide, which runs north-south through the City, crossing Willow Pass Road.

See Attachment 7, “Surrounding Uses and Existing Conditions,” for an overview of surrounding uses.

Proposed Project: The purpose of the project is to receive, store, and discharge electric energy from the California Independent System Operator (CAISO) controlled electric grid, including renewable energy produced by existing solar and wind resources in the region.

The applicant is requesting design review approval for an alternative design with the installation of batteries in cubes and cores as an alternative to the batteries in buildings design previously approved. Recent advances in the design, configuration and performance of lithium ion batteries housed in individual cubes and cores make such energy storage projects competitive with building-based energy storage projects. The

Fluence Cubes are factory-built, modular forms which contain batteries, controls, HVAC, and fire prevention/suppression and related equipment, as shown in Attachment 4. Multiple cubes would be grouped together into cores and connected to inverters which would then be connected to a transformer and ultimately the on-site substation as shown on the revised site plan in Attachment 3 (see Attachment 3, Sheet C-6B). The cubes arranged in groups of sixteen comprising a core, would then be aggregated in three horizontal rows, crossing the site from east to west. Ancillary equipment including transformers and inverters would be aligned directly across from the rows of cubes. The facility would be unoccupied/unmanned, as it is designed for full remote operation. Individual cube heights with inverters would not exceed 10.3-feet, whereas, the previous building design included much taller 26.6-foot tall buildings.

As with the previous approval, the project would be connected to the grid via a new electric tie-in line to the existing PG&E substation located approximately 0.6 miles north of the project site (see Attachment 7). The tie-in line itself was previously approved and is not a part of this design review application.

As previously approved, the proposed small on-site substation, including an approximately 24-foot wide by 50-foot high H-frame structure with switches, lightning arrestors and metering equipment, would be placed on the northwest corner of the project site and would be fenced in accordance with electric code requirements. The substation would also be surrounded on the north and west side by a concrete masonry wall which is discussed in detail below.

As previously approved, access to the site would be provided via the existing Empire Business Park driveway located directly west of and adjacent to the project site. The gated entrance would be located at the southwest corner of the property. A service driveway would be located around the perimeter and the center of the site providing access to the equipment. The site would be graded to provide bio-retention swales around the north and western perimeter of the site.

Sidewalk, curb, and gutter improvements exist at the site frontage. However, as part of the approved use permit (See City Council Resolution No. 18-1351, included as Attachment 2) the developer agreed to conditions of approval that would provide significant frontage improvements along Willow Pass Road, including: 1) a row of street trees placed every 40 feet on center to help screen the project; 2) removal of sediment and re-landscaping of the existing bioretention basin within the City right-of-way; 3) replacement of the existing chain link fence with an eight-foot high masonry wall; 4) under-grounding of existing PG&E overhead power lines along the project frontage; 5) repair and/or replacement of all damaged sidewalk and storm drains; and 6) roadway pavement repair on Willow Pass Road adjacent to the project frontage.

The project site would be enclosed on the west, north and east perimeters by an eight-foot high concrete masonry unit (cmu) wall, as shown in Attachment 3 (See Attachment 3, Sheet A5C). Three panels set into the wall along the northern frontage (dimensions 12 feet by 8 feet) would be reserved for a public art display at each end of the wall and

in the center of the wall. Outside of this wall there would be an almost 67-foot wide landscape strip stretching along the entire Willow Pass Road (northern) frontage of the site. This area would include the bio-retention swale which would be located immediately north of the proposed masonry wall.

The applicant has submitted a revised landscape plan with this design review application. The existing sidewalk would substantially remain in place subject to the conditions noted in the previous paragraph. The updated landscape concept includes small canopy trees in combination with low to medium height shrubs and ground cover in an arrangement to blend with the existing driveway landscaping, shield views of outdoor electrical equipment and to provide a water efficient aesthetic frontage along Willow Pass Road. The plant palate consists of drought tolerant species with evergreen foliage. Two types of trees (spaced 35-feet on center) are shown: Natchez Crepe Myrtle or Bradford Pear. All suggested trees are listed on the Contra Costa County Landscape Standards as suitable for planting under utility lines. The understory would include small shrubs (ceanothus and rosemary) and Indian Hawthorne for groundcover. The masonry wall would be covered with ivy. The plant palette matches the existing (and attractive) plant palette in front of the Trans Bay Cable property at 570 West Tenth Street, which is located two blocks to the east of this project site.

The existing row of trees and driveway edge landscaping on the east side of the site would be left in place since this is mature landscaping and already provides visual screening of the site from residences across the street from the property. On the west edge of the property, trees and ground cover would mirror the existing landscaping on the opposite edge of the driveway. The bio retention swale would be planted with water efficient groundcover. The proposed landscaped area would total approximately 88,000 square feet, or 17% of the site. This would bring an attractive streetscape to this portion of Willow Pass Road and provide visual continuity with the streetscape east of this site along West Tenth Street.

Construction and equipment installation would still be expected to take approximately 12 months including the site preparation, storm water controls and landscaping, outdoor electrical equipment, and installation of the battery cubes and related equipment and the applicant expects the project to be in commercial operation in mid-2021.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is located in the ‘West Central Subarea’ of the Pittsburg General Plan and would conform to the General Plan policies adopted for this subarea. The project site is designated on the General Plan Land Use map as Business Commercial. This designation is intended to provide sites for a variety of uses including custom manufacturing, limited assembly and light manufacturing. The proposed use, an energy storage project, would be consistent with this intent.

General Plan Policy 2-P-77 addresses the project site specifically, to “allow and encourage development of a Business Commercial complex between Willow Pass

Road and the BNSF Railroad track, east of the PG&E transmission corridor." The proposed project would implement the intent of this policy. The project would also provide fiscal benefits to the City of Pittsburg, consistent with the goals of the General Plan Economic Development Element, by adding to the infrastructure within the City of Pittsburg.

Zoning: The project site's base zone is IP-O (Industrial Park Overlay as specified in Ordinance No. 04-1214, and later amended by Ordinance Nos. 07-1284 and 18-1456) District. The intent of this overlay district is to ensure that compatible uses are allowed as appropriate according to proximity to residential uses. The overlay district is also intended to assist in the redevelopment of vacant and underutilized parcels along Willow Pass Road with business and commercial service uses, and to provide sites for service oriented commercial and light industrial uses in a landscaped setting.

As mentioned above, the use permit for the project was approved in 2018 and is valid until October 1, 2021 (see City Council Resolution No. 18-13531). The revised design review proposal would comply with the conditions of the approved use permit.

Development Regulations. As show in Attachment 5, the proposed project revisions would comply with all applicable property development regulations set forth in the applicable overlay district.

Design Guidelines: In 2010, the Planning Commission adopted Resolution No. 9864 amending the City's Development Review Design Guidelines (DRDGs). The DRDGs provide a framework for the design review of residential, commercial, and industrial projects. As shown in Attachment 6, the project as proposed complies with all applicable DRDGs.

Required Findings - Design Review: In order to approve a design review application, the Planning Commission must determine (in accordance with PMC section 18.36.220.B) that:

1. the structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

2. the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;

3. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

4. the structure is in harmony with proposed developments on land in the general area; and

5. the application conforms with the criteria set forth in any applicable City adopted Design Guidelines.

Environmental: The project is subject to the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (Public Resources Code section 21080). Pursuant to the provisions of the State CEQA Guidelines, an Initial Study was prepared for the project. Based on the analysis in the Initial Study, the Planning Manager determined that potentially significant effects of the project could be lessened through specified mitigations. Subsequently, a Mitigated Negative Declaration (MND) was adopted by the City Council on September 17, 2018.

The 2018 Initial Study evaluated a battery storage project in which the batteries were placed in three 60,000 square foot buildings for a total building area of 180,000 square feet. The current proposal consists of cubes and core equipment that would not be placed in buildings. However, this arrangement of equipment is consistent with the project evaluated in the 2018 Initial Study. Further, there would be no increase in overall energy storage capacity on site, battery technology would also remain the same as previously analyzed, and the same equipment types will be installed.

When an MND has been previously adopted for a project, Section 15162 of the CEQA Guidelines states that no subsequent MND shall be prepared unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not previously known with the exercise of due diligence at the time the previous MND was adopted, shows any of the following:

    a) The project will have one or more significant effects not discussed in the previous MND;
    b) Significant effects previously examined will be substantially more severe than shown in the previous MND;
    c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    d) Mitigation measures or alternatives which are considerably different from this analyzed in the previous MND would substantially reduce one or more

significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

Staff reviewed the current application within the context of the 2018 Initial Study/MND (Attachment 11) and determined that, in accordance with CEQA Guidelines Section 15162, there would be: 1) no new significant environmental effects, nor would there be a substantial increase in the severity of any previously identified effects; 2) no substantial changes with respect to the circumstances under which the original MND was adopted; and 3) no new information of substantial importance which could require revisions to the MND as outlined above.

Public Notice: Although not required, on or prior to May 22, 2020, notice of the May 26, 2020, public meeting was posted at City Hall 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 a minimum of 300 feet of the project site, to local service agencies expected to provide services to the facility, and to individuals who had previously filed written request for such notice. The notice was also posted on Nextdoor.com ("Nextdoor") and sent directly to all subscribed residents in the following Nextdoor neighborhoods: 1) Harborlights, and 2) Heritage Pointe.

ANALYSIS:

For ease of review, the analysis provided below is divided into four parts: 1) an evaluation of the current application on its own merits; 2) a discussion of fire safety issues related to the use of the cubes and core design; 3) a comparison of the current application to the previously approved design review; and 4) a summary of findings.

1) Current Application. The cube and core equipment proposed would be screened from Willow Pass Road by an 8-foot high masonry wall and substantial landscaping which would continue the streetscape design from 570 West Tenth Street. The wall would include three panels for public art. These improvements would substantially enhance the visual character of this segment of Willow Pass Road as shown in the photo simulations of the project which are discussed below.

   The visual analysis submitted by the applicant (Attachment 8) shows the proposed project from four viewpoints, which are discussed below:

   a. VP09 - The northeast corner of Willow Pass Road and looking south across the site. From this viewpoint the masonry wall would screen the equipment. The landscaping would soften the visual quality of the site. The two simulations show options for trees – the first being evergreen canopy trees and the second flowering tree – Crepe Myrtle and Bradford Pear. What is visible above the wall is the existing warehouse which shows up in both the before and after pictures
   b. VP11 - The southeast corner of Willow Pass Road looking east toward the project site. This viewpoint shows the north western corner of the site. From

this viewpoint only the equipment from the substation would be visible above the wall.

c. VP13 - Willow Pass Road directly north from and looking south across the project site. These photos show the two options for tree species. There will be a partial view of the equipment (transformers and inverters 10-feet high) slightly visible above the wall and screened to some extent by the trees
d. VPGE - Prosperity Court, directly east of the project site. The existing mature landscaping at this edge of the property would be left in place. This viewpoint is adjacent to residences which are located directly across the street from the project site. However, there is a masonry wall along the edge of the residential development which blocks the views from the first floor of the residences to the project site. There is only one house that has second-floor windows which currently look across the project site. This view would now look at the equipment as shown in the photo. However, the profile of the equipment is much lower (8-10 feet) as compared to the previously approved design review where the buildings would be up to 29 feet high.

2) Fire Protection. The facility would be required to be designed and constructed to comply with all applicable codes in effect at the time of building permit submission. As detailed in Attachment 4, each battery module would be a sealed, finished, and UL listed article installed in battery rack with integrated safety systems to actively monitor current, voltage, and temperature to optimize performance, mitigate potential failures, and prevent upset. Batteries performing out of specification would be immediately taken off line by the automated monitoring system. There would be no venting or release of toxic substances from the individual cells, cell packs, or castings, as the batteries would not be opened for use, maintenance, or other purposes.

   Staff has provided the most recent set of project plans to the Contra Costa County Fire Protect District (CCCFPD) for review. CCCFPD provided a response letter dated May 19, 2020 (Attachment 9), which outlines all of their requirements for approval of the plans. More specifically, the letter notes the project would be required to comply with section 1206 of the California Fire Code for energy storage systems, as well as NFPA 855, “Standard for the Installation of Stationary Energy Storage Systems,” in addition to general conditions dealing with emergency vehicle access and fire suppression. It should also be noted that prior to issuance of any building permits, the developer would be required to submit plans to CCCFPD for separate review and approval. The project does not propose utilizing hazardous materials within its operation; however, the approved use permit does include a condition (See Attachment 2, Condition No. 15) which requires the developer consult directly with HazMat prior to construction, and, if necessary, establish a Hazard Mitigation Plan.

3) Comparison of current application to previously approved project. The primary difference in the two projects is that the initial project included three 60,000 square foot buildings for a total of 180,000 square feet. The buildings were aligned in a

north-south direction with ancillary equipment located between the buildings. The building height would be up to 29 feet. The landscaping previously included clusters of trees at the locations adjacent to the outdoor equipment to provide additional screening and the requirement to install a chain link type fence around the site.

The current application consists of batteries in the cube and core equipment instead of batteries in buildings. The height of the equipment ranges from 8-feet (cubes) to 10-feet (inverters and transformers). A masonry wall will be installed to surround the project on three sides, with substantial landscaping along Willow Pass frontage. This proposal would have a much lower profile compared to the 29-foot high buildings on the previously approved project and can be considered superior in that regard.

4) Summary of Findings. Staff believes that the Commission can make the required findings to grant design review approval for the revised project, as proposed.

The project would conform with good taste and good design. The General Plan recognizes the commercial industrial character of the site (Goal 2-P-77); however, the site is located immediate west of existing residences. The proposed low profile of the equipment and the screening of the use by the 8-foot high masonry wall and substantial landscaping would enable the project to blend in unobtrusively with the adjacent non-commercial use. Further, the masonry wall along Willow Pass Road with complementary street trees (selected to match landscaping along West Tenth Street) would improve the visual character of this segment of Willow Pass Road.

Regarding noise generated from the site, a detailed analysis of potential impacts was prepared by LSA Associates (Attachment 10) and includes a discussion of the methodology for measuring noise levels, sound measurements taken around the project site including at the closest residential properties (described above), and the results of a model predicting noise impacts of the project at full operation. The analysis concluded that any potential change in noise levels at residences would be less than the previously approved project and would be insignificant and imperceptible.

Lastly, the proposed exterior design and appearance of the site should help to preserve and maintain the appearance and value of the surrounding neighborhoods. From a visual standpoint this project would have a much lower profile compared to the previously approved design review. The height of the cubes would be 8-feet and the transformers and inverters 11-feet, compared to the previously approved building height of up to 29-feet. In the previous proposal, substantial accessory equipment was located between the buildings. In addition, the proposed landscape plan has been designed to provide ample screening of the facility. The 8-foot high masonry wall would screen the use from pedestrians and drivers, and the ample landscaping would provide a visual softening of the industrial character of the site while also extending the developed streetscape along Willow Pass Road.

ACTION REQUIRED:

Move to adopt Resolution No. 10149, approving Design Review Application No. 20-1507 (DR), as conditioned.

ATTACHMENTS:

1. Proposed Resolution No. 10149
2. Approved City Council Resolution No. 18-13531 (Use Permit & Design Review)
3. Revised Project Plans, dated May 13, 2020
4. Fluence Gridstock Specifications
5. Development Regulations Consistency Table
6. Design Guidelines Consistency Table
7. Surrounding Uses & Existing Conditions
8. Visual Simulations of the Project Site
9. Contra Costa County Fire Protection District Letter, dated May 19, 2020
10. LSA, Site Re-design Noise Assessment, dated March 19, 2020
11. Adopted Initial Study and Mitigated Negative Declaration, dated XXX
12. Public Meeting Notice & Vicinity Map
13. Environmental Checklist Review for 2020 Update

Prepared by: Joan Lamphier, Consulting Planner

PROPOSED
BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Design Review Approval of Plans for installation of equipment to Install a Cube and Core Energy Storage Facility at 701 Willow Pass Road, for "Diablo Energy Storage Project, AP-20-1507 (DR)."	))))))	Resolution No. 10149

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

A. On March 9, 2020, Diablo Energy Storage LLC, filed Design Review Application No. 20-1507, requesting approval of plans to allow for the installation of batteries in cubes and cores as an alternative to the batteries in buildings, previously approved by City Council Resolution No. 18-13531. The project site covers a 12-acre portion of the 35-acre Empire Business Park parcel located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. Assessor's Parcel No. 085-280-010.

B. The proposed project is governed by the applicable goals and policies of the Pittsburg General Plan, Pittsburg Municipal Code (PMC), and the City's Design Review and Development Guidelines adopted by Planning Commission through Resolution No. 9864.

C. On September 1, 2017, Diablo Energy Storage LLC, filed Planning Application No. 17-1270, requesting approval of a use permit and design review approval to construct and operate an energy storage project with up to 200 megawatts of storage capacity, located within three 60,000 sq. ft. buildings at 701 Willow Pass Road. The project also included a tie-line to connect to an existing PG&E substation, and associated zoning amendment to allow the use within the existing overlay district.

D. On August 14, 2018, the Planning Commission held a public hearing on the proposal and subsequently voted 6-1 to adopt Resolution No. 10095, recommending approval to the City Council of the project as proposed.

E. On September 17, 2018, the City Council held a public hearing and subsequently adopted Resolution No. 18-13531 (contingent on the zoning amendment), which approved a use permit and design review of plans to install the energy storage project in three 60,000 sq. ft. buildings with related accessory equipment and a tie-in line to an existing PG&E substation.

F. On October 1, 2018, the City Council adopted Ordinance No. 18-1456, amending the overlay zoning for the site and confirming the use permit and design review approvals from the previous meeting.

G. After receiving all project approvals and beginning the subsequent permitting processes, the applicant discovered a more efficient way to build the battery storage portion of the project, and as such, subsequently filed a new design review application requesting a modification of their original approval, as described above.

H. In order to approve a design review application, the Planning Commission must determine (in accordance with PMC section 18.36.220.B) that:

1. the structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

2. the structure will be protected against exterior and interior noise, vibrations andother factors that may tend to make the environment less desirable;

3. the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

4. the structure is in harmony with proposed developments on land in the general area; and

5. the application conforms with the criteria set forth in any applicable City adopted Design Guidelines.

I. The project is subject to the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (Public Resources Code section 21080). Pursuant to the provisions of the State CEQA Guidelines, an Initial Study was prepared for the project. Based on the analysis in that study, the Planning Manager determined that potentially significant effects of the project could be lessened through specified mitigations. Subsequently, a Mitigated Negative Declaration (MND) was prepared and adopted by the City Council on September 17, 2018, including a Mitigation Monitoring and Reporting Program as a condition of the use permit.

J. Although not required, on or before May 22, 2020, notice of the May 26, 2020, public meeting on this item was posted at City Hall 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 a minimum of 300 feet of the proposed project site, to local service agencies whose services might be affected by this project, and to individuals who had previously filed written request for such notice. The notice was also posted on Nextdoor.com (“Nextdoor”) and sent directly to all subscribed residents in the following Nextdoor neighborhoods: 1) Harborlights, and 2) Heritage Pointe.

K. On May 26, 2020, the Planning Commission held a public meeting on Design Review Application No. 20-1507, at which time oral and/or written testimony was considered.

Section 2. Findings

A. Based on the Planning Commission Staff Report entitled, “Consideration of a Resolution Recommending Design Review Approval of the Diablo Energy Storage Project, AP-20-1507 (DR),” dated May 12, 2020, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Planning Commission finds that:

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

2. An initial study evaluating the potential environmental impacts of the Diablo Energy Storage Project was prepared in accordance with the guidelines and regulations of the California Environmental Quality Act (CEQA) in 2018. An MND was prepared and adopted by the Pittsburg City Council on September 17, 2018. The 2018 Initial Study evaluated a battery storage project in which the batteries were placed in three 60,000 square foot buildings for a total building area of 180,000 square feet. The current proposal consists of batteries in cubes arranged in cores instead of batteries in buildings. This arrangement of equipment is consistent with the project evaluated in the 2018 Initial Study. Further, there would be no increase in overall energy storage capacity on site, and the battery technology would also remain the same as previously analyzed and approved. These project changes have been evaluated in accordance with CEQA Guidelines Section 15162, and staff has found there would be: 1) no new significant environmental effects, nor would there be a substantial increase in the severity of any previously identified effects; 2) no substantial changes with respect to the circumstances under which the original MND was adopted; and 3) no new information of substantial importance which could require revisions to the MND.

Design Review

3. The project conforms with good taste and design and will not diminish the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that it has been designed to complement and respect its relationship with existing industrial and residential uses in the immediate vicinity. The low profile of the equipment and the screening of equipment by the use by the 8-foot high masonry wall and substantial landscaping along Willow Pass Road will enable the project to blend in unobtrusively with the adjacent uses. Further, the masonry wall along Willow Pass Road with complementary street trees selected to match landscaping along West Tenth Street, will improve the visual character of this segment of Willow Pass Road.

4. The project does not require protection from noise, vibrations, and other factors that may tend to make the environment less desirable for its users because the facility is intended for unmanned operation.

5. The project will not cause the neighborhood to materially depreciate in appearance and value because it is designed to have a utilitarian appearance consistent with the area's industrial zoning. The existing landscaping on the eastern property line will remain in place and provide screening for the residential uses located across the driveway which are also screened by the existing wall. From a visual standpoint this project would have a much lower profile compared to the previously approved design review. The height of the cubes is approximately 8-feet and the transformers and inverters 11-feet, compared to the previously approved building height of up to 29-feet. In the previous approved design, substantial accessory equipment was located between the buildings. In addition, the proposed landscape plan is designed to provide ample screening of the facility. The 8-foot high masonry wall will screen the use from pedestrians and drivers, and the ample landscaping will provide a visual softening of the industrial character of the site while also extending the developed streetscape along Willow Pass Road.

6. The project will be in harmony with proposed developments on land in the general area, in that there are no projects currently proposed in the immediate vicinity of the site. The low profile of the proposed equipment combined with the screening provided by the masonry wall and landscaping will blend this project with existing development along Willow Pass Road.

7. The project is generally consistent with the criteria set forth in the City's Development Review Design Guidelines, in that the guidelines are intended to apply to development projects involving permanent buildings visible from public right-of-ways; however, the visual impact of the cubes and cores will be substantially reduced through installation of landscaping and masonry wall screening

B. The staff report entitled, "Diablo Energy Storage Project, 2020 Amendment, AP-20-1507 (DR)," dated May 26, 2020, is referenced hereto as additional support for the findings.

Section 3. Decision

Based on the findings set forth above, the Planning Commission hereby approves Design Review Application No. 20-1507 subject to the following conditions:

1. Conformity with Project Plans. The project shall be constructed in substantial conformity with the project plans date-stamped May 13, 2020, except as may be modified herein. 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. Conformity with Approved Use Permit. The Diablo Energy Storage Project shall conform to all conditions contained in City Council Resolution No. 18-13531, unless modified by the conditions below. If there is a conflict between the conditions contained in City Council Resolution No. 18-13531, and the conditions of this resolution, the conditions of this resolution shall prevail.

3. Wall Murals. Decorative murals proposed for the masonry wall (as detailed in the staff report) shall be submitted to the Planning Division for review and approval, and subsequently installed within one year of approval of this resolution.

4. Signage. Signage for the proposed project is not approved with this resolution. Any future applications for site identification signage shall substantially comply with the proposed design included in the project plans and shall be subject to its own separate sign review application process through the Planning Division.

5. Standard Conditions of Development: The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.

6. Other Agency Requirements: The developer shall comply with all the requirements of the City's Community Development Department, Delta Diablo Sanitation, Contra Costa County Fire Protection District (CCCFPD), and any/all other applicable local, state and federal agencies. Notably, the applicant shall comply with all requirements outlined by the CCCFPD in their May 19, 2020, letter (attached to the staff report), to be enforced/implemented by the CCCFPD. It is the responsibility of the developer to contact each local, state, or federal agency for any additional requirements that may pertain to this project.

7. Indemnification: Developer 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. Developer may select its own legal counsel to represent developer's interests at developer's sole cost and expense. Developer 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.

8. Expiration of Design Review Approval: Design review approval will expire on May 26, 2023, unless a building permit or grading permit has been issued or a written request for extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission. The approval shall be valid for no more than six months from the date of building or grading permit issuance, unless work is commenced and diligently pursued prior to the expiration of the building or grading permit.

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 26th day of May, 2020, 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. 10149 was adopted by the Planning Commission of the City of Pittsburg on May 26, 2020.

_____
KRISTIN POLLOT, AICP, SECRETARY
PITTSBURG PLANNING COMMISSION

BEFORE THE CITY COUNCIL OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, Use Permit, and Design Review at 701 Willow Pass Road, for "Diablo Energy, AP-17-1270 (RZ, UP, DR)."	)))))	RESOLUTION NO. 18-13531

The Pittsburg City Council DOES RESOLVE as follows:

WHEREAS, on September 1, 2017, Kevin Johnson on behalf of Diablo Energy Storage, LLC, filed Planning Application No. 17-1270, requesting approval of: 1) an amendment to the existing 'Empire Business Park' Overlay Zoning District (Ord. Nos. 07-1284 and 04-1214) to allow a "Major Utility" use subject to a use permit; 2) a use permit for a Major Utility; and 3) design review approval of plans to install an energy storage project in three 60,000 sq. ft. buildings with related accessory equipment and tie-line to an existing PG&E substation. The project site covers a 12-acre portion of the 35-acre Empire Business Park parcel located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. Assessor's Parcel No. 085-280-010; and

WHEREAS, the proposed project is governed by the applicable goals and policies of the Pittsburg General Plan, the Pittsburg Municipal Code (PMC), and the City's adopted Design Review and Development Guidelines (DRDGs; Planning Commission Resolution No. 9864); and

WHEREAS, the proposed project is subject to the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (Public Resources Code section 21080). Pursuant to the provisions of the State CEQA Guidelines, an Initial Study was prepared for the Project. Based on the analysis in the study, the Planning Manager determined that potentially significant effects of the project could be lessened through specified mitigations, and subsequently, a Mitigated Negative Declaration was prepared; and

WHEREAS, on February 9, 2018, a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) was distributed to the public for a 30-day review, in accordance with CEQA Guidelines section 15105(b). The review period was extended to March 23, 2018, to accommodate additional public review. Public distribution of the NOI consisted of delivery to the County Clerk's Office, posting on the City's website, and direct mailing to all interested parties and owners/occupants of the properties directly contiguous with the project, in accordance with CEQA Guidelines section 15072; and

WHEREAS, on August 14, 2018, after conducting a duly noticed public hearing, the Planning Commission adopted Resolution No. 10095, recommending approval of the requested mitigated negative declaration, an amendment to the 'Empire Business Park' Overlay Zoning District, use permit, and design review; and

WHEREAS, on October 1, 2018, the City Council approved the Mitigated Negative

Declaration, and Mitigation Monitoring and Reporting Program (MMRP) for this project through the adoption of City Council Ordinance No. 18-1456; and

WHEREAS, pursuant to Pittsburg Municipal Code (PMC) section 18.36.230, the City Council, upon recommendation of the Planning Commission, may grant design review approval if it finds that: a) the structure conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality; b) the structure will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable; c) the exterior design and appearance of the structure is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value; d) the structure is in harmony with proposed developments on land in the general area; and e) the application conforms with the criteria set forth in any applicable City adopted design guidelines; and

WHEREAS, on or prior to Friday, September 7, 2018, in accordance with Government Code sections 65090 and 65091, and PMC section 18.14.020.B and D, a "Notice of Public Hearing," for the September 17, 2018, public hearing on this item was published in the East County Times; was posted at City Hall; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies whose services might be affected by this project, and to individuals who had previously filed written request for such notice; and

WHEREAS, on September 17, 2018, the City Council held a duly-noticed public hearing to: 1) introduce and waive further reading of an ordinance approving a mitigated negative declaration and the proposed amendment to the 'Empire Business Park' Overlay Zoning District; and 2) adopt this resolution approving the proposed use permit and design review, at which time oral and/or written testimony was considered.

NOW THEREFORE, the City Council finds and determines as follows:

Section 1. Findings

A. Based on the City Council staff report entitled, "Introduction and Waive First Reading of an Ordinance and Adoption of a Resolution Approving the Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR)," dated September 17, 2018, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the public hearing, the City Council finds that:

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

2. The Mitigated Negative Declaration for the project was prepared in compliance with Public Resources Code section 21000 et seq. and the City Council has independently reviewed and considered the information contained therein.

Use Permit:

3. The project is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located, and is appropriate to the specific location, in that the property was designated with an Industrial Park Overlay District, the intent of which is to provide sites in landscaped settings for research and development facilities, and limited warehouse type facilities. The proposed use will be consistent with this intent.

4. The project will not be detrimental to the health, safety, and general welfare of the City, in that it will have no impact on air quality, odors, or hazardous materials. The project will be unmanned and therefore will not generate traffic. Equipment outside the buildings will be screened in accordance with the Design Review Design Guidelines.

5. The project will not adversely affect the orderly development of property within the City, in that the project site is vacant and designated for Industrial Park use.

6. The project will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that it will add to the tax base through the development of the property and increased assessed valuation.

7. The project is consistent with the objectives, policies, general land uses and programs specified in the General Plan, in that this site is located in the 'West Central Subarea' of the Pittsburg General Plan and would conform to the General Plan policies adopted for this subarea, specifically Policy 2-P-77, which is intended to encourage development of a Business Commercial complex between Willow Pass Road and the BNSF Railroad track, east of the PG&E transmission corridor. The project would also provide fiscal benefits to the City of Pittsburg, consistent with the goals of the General Plan Economic Development Element.

8. The project will not create a nuisance or enforcement problem within the neighborhood, in that the battery portion of the project will be enclosed within the three buildings, which will also partially screen substation equipment. Further, the noise and vibration assessment prepared for the project has indicated that noise generated from the project would not be noticeable by neighboring residences. Lastly, 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.

9. The project will not encourage marginal development within the neighborhood, in that the project would be located on a vacant, infill site, and has been designed to complement and blend in with the existing mixed-use character of the area.

10. The project 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 facility will be unmanned, causing no demand for additional public services.

11. The project is consistent with the City's approved funding priorities, in that there are no public funds associated with this project.

Design Review

12. The project conforms with good taste and design and will not diminish the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that it has been designed to complement and respect its relationship with existing industrial uses and the adjacent residential use.

13. The project does not require protection from noise, vibrations, and other factors that may tend to make the environment less desirable for its users because the facility is intended for unmanned operation.

14. The project will not cause the neighborhood to materially depreciate in appearance and value because it is designed to have a utilitarian appearance consistent with the area's industrial zoning. The existing landscaping on the eastern property line will remain in place and provide screening for the residential uses located across the driveway which are also screened by the existing wall.

15. The project will be in harmony with proposed developments on land in the general area, in that there are no projects currently proposed in the immediate vicinity of the site.

16. The project is generally consistent with the criteria set forth in the City's Development Review Design Guidelines, in that an attempt has been made to reduce the visual impact of the large building size and significant massing of the three buildings through landscaping and masonry wall screening. Conditions have been included that will require: 1) extension of the metal detailing on the building above to the top of the parapet (Guideline IV.f); 2) screening of the outdoor equipment (Guideline IV.d); 3) provision of a cool roof (Guideline VI.D.1.).

Section 2. Decision

Based on the findings and the authority set forth above, the City Council hereby takes the following actions:

A. Approves a use permit and design review of plans for the Diablo Energy Storage Project, AP-17-1270, subject to the approval of the overlay district amendment described in the staff report, and subject to the following conditions:

1. The project shall be constructed in substantial conformity with the project plans and color and materials board date-stamped January 12, 2018, 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. Any purchase, acquisition, and/or supply of goods and materials, as well as any new or replacement equipment and supplies purchased by Diablo Energy Storage, LLC ("DES") or its contractors, subcontractors, agents or affiliates, in connection with this project shall be apportioned and paid to and 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 DES or its contractors, subcontractors, agents or affiliates contractually agree to share sales and use taxes from this project with any other city, county or other entity in the State of California, regardless of agreement they might have with 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. DES and its contractors, subcontractors, agents and affiliates shall comply with the Sales and Use Tax Requirements ("Requirements") set forth below and all CDTFA requirements. If the City becomes aware of modifications necessary to such Requirements, City may propose to incorporate new or revised requirements, subject to DES's agreement which shall not be unreasonably withheld, conditioned or delayed. Failure by DES, its contractors, subcontractors, agents or affiliates to comply with this condition to ensure appropriate taxes are properly paid and passed through to the City will result in DES paying a fee equivalent to the taxes which the City would have received had DES, its contractors, subcontractors, agents or affiliates taken such actions to ensure the sales taxes referenced in the first sentence of this subsection are apportioned to the City.

   Sales and Use Tax Requirements: DES/General Contractor and/or future project owners and/or operators, as applicable, shall adhere to the following steps in effort to maximize the City's allocation of sales and use taxes associated with project construction and operations by taking the following steps:

   - Prior to issuance of a grading or building permit or within 60 days of the effective date of this approval, whichever comes first, the developer shall register with the CDTFA and keep such registration current throughout the operational life of the project.

   - Apply for a Use Tax Direct Pay Permit. Upon receipt of registration, provide a copy to the City and/or their consultant for verification.

   - Self-accrue and pay use taxes in accordance CDFTA requirements.

   - Report local and district use taxes to CDFTA on applicable use tax returns.

- Use Tax-Point of Sale/Use Designation. DES shall require all contractors, subcontractors, agents and affiliates providing building materials and fixtures, such as but not limited to, bulk lumber, concrete, structural steel and pre-fabricated building components to be used in connection with the construction and development of, or incorporated into, the Project, to:

  (a) obtain a Seller's Permit;

  (b) issue a resale certificate to any supplier of material that will allow it to buy property without payment of tax;

  (c) file timely Sales and Use tax returns and report local tax on materials consumed and fixtures sold by the contractor, subcontractor, agent or affiliate based on the sole jobsite location located in the City of Pittsburg;

  (d) elect to obtain a sub permit for the job site of any contract valued at Five Million Dollars ($5,000,000) or more enabling the contractor, subcontractor, agent or affiliate to make a direct allocation of the tax based on the jobsite located in the City of Pittsburg; and

  (e) otherwise designate the Property as the place of use of materials used in the construction of the Project in order to have the full local use tax portion of the sales and use tax distributed directly to the City of Pittsburg.

  (f) DES/General Contractor shall require and instruct each of its subcontractors to cooperate with the City to ensure the local use tax is allocated to City of Pittsburg.

  (g) To assist City in its efforts to ensure that the full amount of such local sales/use tax is allocated to the City, DES/General Contractor shall provide City with a quarterly spreadsheet, which includes a list of all subcontractors, agents or affiliates with contracts in excess of the amount set forth above, a description of all applicable work, and the dollar value of such subcontracts or agreements. City or City's consultant may use the information provided it to contact each contractor, subcontractor, agent or affiliate to determine which may qualify to register the jobsite for allocation of the local use tax to the City of Pittsburg.

  (h) The DES will lease seven hundred twenty-seven (727) square feet of office space at 160 East 10th Street, Pittsburg California for One Dollar ($1.00) per square foot plus Common Area Maintenance and its portion of utilities from September 1, 2018 until the earlier of: a) 90 days after the commercial operations date of the Project

and DES establishes an office at the Project site or b) expiration of design review approval.

3. Prior to issuance of a grading or building permit, the developer shall advise the City Manager and City Planner in writing of the final tie-line alignment, and all necessary approvals (including but not limited to, easements and encroachment permits). The developer may elect to utilize City property interests for the construction and operation of the above-ground electric tie line north of the northern boundary of the public right-of-way on Willow Pass Road, if such interests are available. If developer elects to use utilize such interests the developer shall enter into an agreement with the City satisfactory to and approved by the City Manager in writing that provides reasonable compensation to the City for the use of such property interests.

4. Prior to issuance of a grading or building permit, the developer shall submit proof of application for any other permits and/or approvals from other governmental or quasi-governmental agencies having jurisdiction over the project site as may be required for construction.

5. Upon approval by the City Planner, the developer may elect to relocate the proposed substation to that portion of the parcel west of the existing driveway, or immediately east of the existing driveway and west of Building 3. If this portion of the property is utilized, the City Planner reserves the right to require all applicable mitigation measures outlined in condition of approval No. 19 below, to be incorporated, along with any other condition of approval outlined within this resolution not already affecting this portion of the property.

6. All tie line towers shall be setback from the center-line of Willow Pass Road, at minimum, a distance equal to the height of the proposed tower or 25 feet from the northern extent of the Willow Pass Road right-of-way, whichever is greater. All towers within 100 feet of the right-of-way shall include landscaping around the base of the tower. All trees removed for tower installation shall be replaced and subject to the City's Tree Preservation Ordinance (PMC Title 18, Article XIX) as applicable.

7. The metal detail on the façade shall be extended above the top of the parapet to assist in visually reducing the perceived mass of each building. Rooftops shall be painted white to create a cool roof effect under any necessary mechanical equipment.

8. The project shall not employ a light source that causes any direct illumination beyond the property lines of the project site (PMC section 18.82.030).

9. The project's operational noise levels shall not exceed 65 dBA beyond the property lines of the project site (PMC section 18.82.040).

10. The project shall not produce an unreasonable, disturbing, or unnecessary emission of odors that cause material distress, discomfort or injury to the average person (PMC section 18.82.045).

11. The developer shall revise the landscaping plan to provide a row of street trees along the northern frontage of the project with spacing every 40-feet on center. New trees shall be a minimum of 15-gallon in size and final placement, quantity, and species shall be subject to review and approval by the Planning Division prior to issuance of a building permit.

12. The developer shall utilize recycled water for all construction activities, including but not limited to dust control measures, to the maximum extent feasible and if available from Delta Diablo. In the event a recycled water line is extended to the project site prior to issuance of the first building permit issued for the project, the developer shall be required to connect to and utilize recycled water for all landscaping.

13. The developer shall remove all sediment from the existing stormwater detention infrastructure within the City right-of-way south of Willow Pass Road along the project frontage and shall provide new landscaping within the detention area. The developer shall also clean out all existing through-sidewalk cross drains and repair as necessary. The developer shall not be required to resize the detention area or provide any additional through drains. The final landscaping plan shall comply with the provisions outlined in condition No. 11 and 14 of this resolution. Maintenance of this facility shall remain with the City of Pittsburg.

14. Prior to the issuance of a building permit, the developer shall submit a detailed landscaping and irrigation plan and other documentation as required by the state model water efficient landscaping ordinance or other local water efficient landscaping ordinance in effect at the time the developer applies for a building permit. Prior to issuance of a certificate of occupancy, the developer shall complete and submit all certifications confirming that the landscaping and irrigation were installed in compliance with the approved detailed landscaping and irrigation plan, as required pursuant to the applicable ordinance in effect at the time the developer applies for a building permit.

15. The developer shall consult directly with the Contra Costa County Hazardous Materials Program prior to construction, and if necessary, establish a Hazard Mitigation Plan.

16. The developer shall comply with Design Review Design Guidelines, Appendix A, requiring the screening of all utility box transformers, backflow preventers, meters, junction boxes and other outdoor equipment.

17. The developer shall remove the existing galvanized chain link fence located along the northern property frontage and replace with new black vinyl clad chain link fencing. If feasible, the new fence shall be relocated south of the bioretention area along Willow Pass Road. The final design and location of the fencing shall be subject to approval by the City Planner prior to the issuance of a building permit for the site.

18. The project shall be kept in a good state of repair and the project site shall be kept clean and orderly and free of all weeds, litter, debris, and other refuse at all times (PMC section 18.82.050).

19. The developer shall comply with the following environmental impact mitigation measures identified below. Where there may be a conflict between the mitigation measures below and the Mitigation Monitoring and Reporting Program, attached to City Council Ordinance No. 18-1456 the specific measures of this resolution shall govern.

    a) Measure BIO-1: If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Developer shall provide biological, wetlands and jurisdictional waters survey reports accompanying the final tie-line design demonstrating that facilities and access are designed to minimize disturbance to sensitive plants to the extent practical for safe and efficient construction. Reports provided by the Developer shall be prepared by qualified professionals and shall address federal and state jurisdictional waters and potential for occurrence of Soft salty bird's-beak, Bolander's water hemlock, Delta tule pea, Delta mudwort, Mason's lilaeopsis, Suisun marsh aster based on pedestrian transect surveys for the portion of the West Alignment north of Willow Pass Road including final access routes. The project shall be designed to avoid direct impact to soft salty bird's beak and Mason's lilaeopsis, as well as Bolander's water hemlock, Delta tule pea, Delta mudwort, and Suisun marsh aster. If direct impact to soft salty bird's beak and Mason's lilaeopsis cannot be practically avoided, then the Developer shall consult with USFWS and CDFW to develop a plan for transplanting affected individuals to an appropriate adjacent location. The plan shall be subject to review by USFWS and CDFW and approval by the City prior to the issuance of grading or building permits for the tie-line. If direct impact to Bolander's water hemlock, Delta tule pea, Delta mudwort, or Suisun marsh aster cannot be practically avoided, then the Developer shall submit a plan to the City for transplanting, restoring, or preserving these species including success criteria to offset individuals lost at a ratio of no less than 1:1 and shall obtain approval by the City prior to the issuance of grading or building permits for the tie-line. Project construction shall be monitored by a qualified biologist where construction work is within or adjacent to federal or state jurisdictional waters or wetlands, or locations with State or federally listed plants or State Rare plants. Material revisions to the selected final tie-line alignment routing and structure locations shown and described in the Developer's Project Description shall be subject to approval by the Planning Manager.

    b) Measure BIO-2: If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Developer shall provide a biological survey report prepared by a qualified professional accompanying the final tie-line design addressing potential for occurrence of salt-marsh harvest mouse. The project shall be designed to avoid any Take of salt-marsh harvest mouse under the State ESA. If impact to salt-marsh harvest mouse habitat cannot be practically avoided, then the Developer shall

develop a plan for construction to ensure no State ESA Take during construction, and for restoring or preserving habitat for this species at an area ratio of no less than 3 to 1. The plan shall be subject to review by USFWS and CDFW and approval by the City prior to the issuance of grading or building permits for the tie-line.

c) Measure BIO-3: If the tie-line West Alignment is used, a qualified biologist shall conduct a pre-construction survey for western pond turtles no more than 30 days prior to construction in suitable aquatic habitats in and adjacent to the West Alignment work area. A combination of visual and trapping surveys may be performed with authorization from the California Department of Fish and Wildlife. If the species is found near any proposed construction areas, impacts on individuals and their habitat shall be avoided to the extent feasible. If occupied habitat can be avoided, an exclusion zone shall be established around the habitat and clearly marked with temporary fencing for avoidance during construction. If avoidance is not possible and the species is determined to be present in work areas, the biologist with approval from CDFW may capture turtles prior to construction activities and relocate them to nearby, suitable habitat a minimum of 300 feet from the work area. Exclusion fencing should then be installed if feasible to prevent turtles from reentering the work area. Project construction shall be monitored by a qualified biologist where construction work is within or adjacent to occupied western pond turtle habitat.

d) Measure BIO-4: If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Developer shall provide a wetlands and jurisdictional waters survey report accompanying the final tie-line design demonstrating that facilities and access are designed to minimize disturbance to waters and wetlands to the extent practical for safe and efficient construction. Reports provided by the Developer shall be prepared by a qualified professional and shall delineate federal and state jurisdictional waters and wetlands, including verification by USACE for federal wetlands, if present. If disturbance to waters of the US and the state including wetlands cannot be avoided, then such disturbance shall not exceed 0.5-acre long term plus 1.3 acres of short-term disturbance, and the Developer shall obtain required authorizations from USACE and CDFW prior to construction. Disturbances to wetlands or riparian vegetation shall be mitigated at a ratio of no less than 3:1 for long term impacts.

e) Measure BIO-5: The Developer shall pay HCP/NCCP mitigation fees consistent with HCP/NCCP requirements. If development is phased such fees, shall be paid prior to the issuance of a grading permit for acreage to be disturbed in such phase.

f) Measure CUL-1: Prior to issuance of a grading permit, the Developer shall provide the City with a historical resources survey report prepared by a professional meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR 61) for the electric tie-line easement. If the survey identifies potentially significant cultural resources within the electric tie-line

easement, then a tie-line design shall be provided to the City for approval prior to issuance of a grading permit that demonstrates either: (1) no significant resource would be disturbed by tie-line construction; or (2) any significant resource that cannot be practically avoided would be mitigated through photo-documentation and archival research by a qualified historic archaeologist or architectural historian.

g) Measure CUL-2: Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be trained and instructed by a representative of the Developer or its contractor to be observant for the potential occurrence of archaeological resources in the geologic materials encountered, and shall be instructed and authorized to halt excavation in the area immediately and notify the Project Developer's representative if such resources are discovered. In the event of a discovery, the Developer or Developer's representative shall promptly notify the City and work in the area shall cease until the discovery is evaluated by a qualified cultural resource specialist. If evaluation by a qualified cultural resource specialist indicates that the discovery may be significant, then excavation in the area shall be continued only as directed by a qualified cultural resource specialist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project, including development of a Research Design and Data Recovery Program if needed to mitigate impacts. If cultural artifacts are collected they shall be cataloged and curated with an appropriate institution. A final monitoring report shall be prepared if significant cultural resources are discovered.

h) Measure CUL-3: Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be trained and instructed by a representative of the Developer or its contractor to be observant for the potential occurrence of paleontological resources when excavating on the Site beneath the depth of existing fill, and shall be instructed and authorized to halt excavation in the area immediately and notify the Project Developer's representative if vertebrate fossils are discovered. In the event of a discovery, the Developer or Developer's representative shall promptly notify the City and work in the area shall cease until the discovery is evaluated by a qualified paleontologist. If evaluation by a qualified paleontologist indicates that the discovery may be significant, then excavation in the area shall be continued only as directed by a qualified paleontologist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project. If significant fossils are collected they shall be cataloged and curated with an appropriate institution. A final monitoring report shall be prepared if significant fossils are discovered.

i) Mitigation Measure CUL-4: Construction shift foremen, excavation equipment operators and other construction workers shall be trained and instructed by a representative of the Developer or its contractor to halt work immediately if human remains are observed in the geologic materials encountered. In the

event of a discovery, the County coroner shall be notified immediately and work in the area shall cease until the discovery is evaluated and removed in accordance with applicable laws and requirements.

j) Measure NOISE-1: Loud construction work shall be limited to the hours between 8:00 am and 5:00 pm unless otherwise approved by the Planning Manager.

Engineering Conditions:

20. All new electric tie-line equipment south of the northern extent of the Willow Pass Road right-of-way shall be placed underground. The developer shall also relocate all existing above-ground power lines between the western boundary of the subject parcel and Enterprise Circle with the exception of the eastern-most power pole, underground.

21. The developer shall complete the following pavement repair: crack sealing, minimum 1.5 inches of asphalt concrete overly, and thermoplastic re-striping of Willow Pass Road along frontage limits.

22. The developer shall submit an engineer's estimate to the Engineering Division for review and approval together with the initial engineering plans. The engineer's estimate shall include all costs associated with the site development improvements, excluding those costs associated with the construction of the proposed building structures.

23. The developer shall repair or replace, as deemed necessary, all broken or uneven sidewalks and through-curb drains along the project frontage.

24. The developer shall provide an initial payment for review of the grading plans with the first grading plan submittal. These fees are based on the engineer's estimated costs for grading, which shall be submitted with the plans. The grading plan check fee is 2.5% of the cost for grading or may be based upon cubic yards of earth disturbance. Payments of 50% of these total fees are due payable with the initial submittal of plans and Engineer's Cost Estimate. These initial payments will be credited towards the final fees as determined at time of issuance of an engineering permit.

25. The developer shall pay the grading inspection fee to the Engineering Division at the time the grading permit is issued. The grading inspection fee is 3% of the estimated cost of grading. The grading inspection fee may also be based upon an engineer's City-approved estimate of total cubic yards, according to the current schedule of grading fee charges.

26. The developer shall pay the City of Pittsburg Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") to the Engineering Division, for water and sewer service in the amounts in effect when the developer obtains a building permit. The developer understands that the current FRC on file, effective August 20,

2005, shall be paid in accordance with the fee schedule approved by Resolution No. 05-10290, and amended by Resolution No. 12-11778, on February 21, 2012, a copy of which is available at the City. The FRC shall be paid to the Engineering Division prior to the issuance of a building permit.

27. The developer shall pay an NPDES plan review (SWPPP Plan) fee to the Engineering Division in the amounts in effect when the developer obtains a grading permit. The developer understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

28. The developer shall pay an NPDES inspection deposit (SWPPP Plan) fee to the Engineering Division in the amounts in effect when the developer obtains a grading permit. The developer understands that the current NPDES plan review fee on file, effective September 1, 2010, shall be paid in accordance to the fee schedule approved by Resolution No. 10-11510, a copy of which is available at the City.

29. If additional engineering studies are deemed necessary by the City Engineer, i.e. geotechnical, structural, hydraulic, etc., or expedited reviews are requested by the developer, the developer shall pay for all costs related to the extra work. The costs may include the preparation of special studies, additional staff time, and/or reviews of the special studies if studies are prepared by the developer's engineer.

30. The developer shall submit five (5) copies of the engineering plans, prepared by a registered civil engineer, to include but not be limited to the following:

    - Grading and Drainage Plan;
    - Utilities Plan;
    - Geotechnical Report;
    - Engineer's Estimate;
    - Stormwater Pollution Prevention Plan (SWPPP); and
    - Offsite Improvements due to Project Impacts.

31. The geotechnical report submitted pursuant to Condition 30 above, shall substantiate the design features incorporated into the project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and issuance of any engineering permits.

32. All grading work shall be done in accordance with the provisions of Chapter 15.88 of the Pittsburg Municipal Code.

33. All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) of the

Pittsburg Municipal Code as determined by the City Engineer. Issuance of a Site Development Permit, including but not limited to grading permits, will be required whereby specific engineering requirements will be made as conditions of approval.

34. All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.

35. Prior to issuance of a grading permit, the developer shall submit the following to the Engineering Division for review: a Stormwater Pollution Prevention Plan (SWPPP) and a copy of the Notice of Intent (NOI), which was submitted to the State Water Resources Control Board. The SWPPP shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to effectively prohibit the entry of pollutants into storm water runoff. The SWPPP measures shall also include erosion control measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with the regulations outlined in CASQA Handbook.

36. Submittal of grading and/or building plans shall be consistent with the approved Stormwater Control Plan. The plans shall include drawings and specifications necessary to implement all measures in the approved Stormwater Control Plan. A copy of a completed "Construction Plan C.3 Checklist", as described in the Stormwater C.3 Guidebook, most current edition shall be included. Grading and/or building permits, shall not be issued until this condition is met to the satisfaction of the Engineering and Planning Divisions.

37. Equipment and materials containing polychlorinated biphenyls (PCBs) and mercury shall be prohibited. These substances accumulate in fish and may cause serious adverse health effects to people and wildlife that eat fish. The City has an obligation to reduce the discharge and control all potential sources of PCBs and Mercury in the environment as mandated in the City's NPDES Stormwater permit Order No. R2-2015-0049.

38. The developer shall coordinate with Delta Diablo, in accordance with letter dated March 15, 2018, regarding placement of the proposed tie-line poles as follows:

    a. Project design plans for access, structures, and the proposed tie-line improvements that may potentially adversely impact Delta Diablo District wastewater pipelines or access shall be submitted to the District and be subject to its favorable review prior to City issuance of approval of the final tie-line route, any grading permit and the start of construction. Design measures shall include:

        i. Fencing and roadway improvements, and gates shall be designed to allow for optimized District access to existing wastewater pipelines during construction and after completion of construction. Project design shall ensure that access to District existing facilities will not be impeded or compromised from current conditions.

ii. Grading over District pipelines shall not decrease ground surface cover over existing District pipelines and shall not significantly increase over District pipelines unless approved by the District.
iii. No structures shall be constructed over existing District pipelines or easements.
iv. When feasible and practical, all proposed new structures, overhead lines, or underground pipelines shall maintain a minimum of twenty-five feet horizontal distance between the outside edge of the District pipelines and the new improvement. Where not practical, all new improvements shall maintain a minimum of ten feet horizontal distance from the outside edge of the District pipelines.
v. Crossings of District pipelines shall be at perpendicular angles and be designed such that overhead wires do not impede District safe manway access.

Additional Engineering Exactions

39. The property owner shall deliver written approval in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2005-1 Community Facilities District (CFD 2005-1) for Public Safety Services, prior to the issuance of any building or engineering permits. Community Facilities District 2005-1 is for Public Safety Services, and the fee will provide funding for an increase of police coverage in the area. The rate of the CFD 2005-1 fee is subject to City Council Resolution No. 05-10342.

40. The property owner shall deliver written approval in a manner acceptable to the Community Development Director, that the owner of the parcel is electing to annex the subject property into the 2017-1 Fire Facilities and Fire Safety and Emergency Services Community Facilities District (CFD 2017-1), prior to the issuance of any building or engineering permits. Community Facilities District 2017-1 is for Fire Facilities and Fire Safety and Emergency Services. The rate of the CFD 2017-1 fee is subject to City Council Resolution No. 17-13311.

Standard Conditions

41. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between the Standard Conditions of Development and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.

42. The developer shall comply with all the requirements of the City's Community Development Department, Contra Costa County Fire Protection District (including but not limited to those noted in the letter dated August 8, 2018), and all other applicable local, state and federal agencies. It is the responsibility of the Developer to contact each local, state, or federal agency for requirements that may pertain to this project.

43. Developer 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 developer's sole cost and expense. Developer may select its own legal counsel to represent developer's interests at developer's sole cost and expense. Developer 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.

44. This use permit will expire on October 1, 2021, unless the use has been legally established and all applicable conditions of approval complied with prior to the expiration date, or a written request for an extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Planning Commission. The design review approval granted herein shall be coterminous with this use permit.

Section 3. Effective Date

This resolution shall take effect immediately upon the effective date of City Council Ordinance No. 18-1456, approving the amendment to the Empire Business Park Overlay Zoning District applicable to the site.

Section 4. Adoption

PASSED AND ADOPTED by the City Council of the City of Pittsburg at a regular meeting on the 17th day of September 2018, by the following vote:

AYES:	Banales, Craft, Evola, Killings
NOES:	None
ABSTAINED:	None
ABSENT:	Longmire

Dwaine "Pete" Longmire, Mayor

ATTEST:

Alice E. Evenson, City Clerk

OFFICE OF THE CITY MANAGER/EXECUTIVE DIRECTOR
65 Civic Avenue
Pittsburg, CA 94565

DATE: 9/5/2018

TO: Mayor and Council Members

FROM: Joe Sbranti, City Manager

SUBJECT: Introduction and Waive First Reading of an Ordinance and Adoption of a Resolution Approving the Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR)

MEETING DATE: 9/17/2018

EXECUTIVE SUMMARY

This is a public hearing on a request for: 1) adoption of an amendment to the existing 'Empire Business Park' Overlay Zoning District (Ord. Nos. 07-1284 and 04-1214) to allow a "Major Utility" use subject to a use permit; 2) approval of a use permit for a Major Utility; and 3) design review approval of plans to install an energy storage project in three 60,000 sq. ft. buildings with related accessory equipment and tie-line to an existing PG&E substation. The project site covers a 12-acre portion of the 35-acre Empire Business Park parcel (APN: 085-280-010) located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. On August 14, 2018, the Planning Commission adopted Resolution No. 10095, recommending approval of the proposal in its entirety.

FISCAL IMPACT

One-time revenues related to construction permits and other development fees and exactions are anticipated with this project. The applicant would also be required to pay a property tax (an estimated total of five million dollars) and sales tax (an estimated total of eight hundred thousand dollars).

RECOMMENDATION

City Council open the public hearing; take public comment; close the public hearing; then: 1) introduce, waive further reading, and pass to second reading, the attached ordinance approving a mitigated negative declaration and an amendment to the existing Empire Business Park IP-O District for the Diablo Energy Storage project; and 2) adopt the attached resolution approving a use permit and design review for the project, which would be contingent upon City Council adoption of the ordinance approving the rezoning of the site.

BACKGROUND

On January 20, 2004, the City Council adopted Ordinance No. 04-1214, which established the existing IP-O District, commonly referred to as the 'Empire Business Park Overlay,' applicable to the property, in order to specify permitted, conditionally permitted, and limited uses for the property, as well as development regulations related to maximum building height, maximum lot coverage, front yard setback, and maximum floor area ratio.

On May 21, 2007, the City Council adopted Ordinance No. 07-1284, in conjunction with a comprehensive zoning code update in order to add "religious assembly," as a conditionally permitted use in multiple overlay districts, including the Empire Business Park Overlay.

On July 10, 2018 the Planning Commission held a public hearing to consider this new application for the site by Diablo Energy Storage, LLC. At that meeting the Commission raised questions related to public safety, specifically regarding the use of lithium ion batteries and an overhead electric tie-line in proximity to residential uses and voted unanimously to continue the public hearing to the July 24, 2018, meeting. On July 24, 2018, the Commission once again continued the public hearing to August 14, 2018, in order to allow staff and the applicant additional time to address questions and concerns raised by the Commission and conduct additional public outreach. On August 14, 2018, the Planning Commission voted 6-1 to adopt Resolution No. 10095, recommending approval of the proposal in its entirety.

Existing Conditions: The project site consists of a 12-acre portion of the 35-acre site designated as the Empire Business Park. The site fronts Willow Pass Road to the north and is currently vacant. A dilapidated chain-link fence with a barbed wire top currently runs along the northern and eastern site boundaries. A stormwater detention and treatment basin also runs along the northern property boundary parallel to Willow Pass Road within the City right-of-way; however, this area has been illegally filled by unpermitted dumping, and thus is not adequately retaining or treating stormwater. Lastly, overhead power lines run along the northern property boundary, and are the only remaining overhead lines along this stretch of Willow Pass Road/West 10th Street.

The project site is surrounded by a mix of light industrial, utility and low-density residential land uses. Adjacent lands north of Willow Pass Road are industrial in use. The portion of the subject parcel to the south of the project site is developed as an approximately 400,000 square foot commercial warehouse-style structure with associated parking and truck loading docks. Adjacent lands to the east of the site consist of a paved commercial entrance road between the project site and a residential subdivision. Adjacent lands to the west of the site include a paved entrance to the industrial development to the south, a graded undeveloped area, and a high voltage electric transmission line corridor, approximately 900 feet wide, which runs north-south through the City, crossing Willow Pass Road.

Proposed Project: The purpose of the project is to receive, store, and discharge electric energy from the California Independent System Operator (CAISO) controlled electric grid, including renewable energy produced by existing solar and wind resources in the region. The preliminary layout and conceptual design details of the project are shown on Attachment 1. The facility would receive energy from the existing grid, including energy from renewable resources and store it onsite within batteries. The energy would then be delivered back to the grid as requested by the CAISO including during peak electric demand, increasing the efficiency of the grid and reducing the need for power generation plants during these times. Energy discharged from the project would go directly into PG&E

infrastructure and be distributed as needed. In accordance with the Large Generator Interconnection Agreement between Diablo Energy Storage, PG&E, and CAISO, the project is authorized to interconnect up to 200 megawatts of storage capacity to the PG&E Pittsburg Substation. It should be noted that the proposed project is not a power plant, as it does not produce electric energy as a solar, wind, or fossil-fuel plant would.

The project consists of three, approximately 60,000 square foot, unmanned buildings which would house advanced energy storage technology (e.g. lithium ion batteries) which, together with related control equipment including inverters, transformers, and an onsite electric substation, would be connected via a new electric tie-in line to the existing PG&E substation located approximately 0.6 miles north of the project site (see project plans attached). The facility would be unoccupied, as it is designed for full remote operation. The entire project site would be secured with new seven-foot-tall fencing consisting of six-foot high chain link with a one-foot high security wire top. A controlled access gate would be located at the project site entrance and a second gate would be located near the northwest corner of the site where an existing road would provide for emergency access.

Several approvals are requested for this project.

1. An amendment to the Empire Business Park Industrial Overlay District (IP-O) to allow a "Major Utility" use subject to a use permit.

2. Approval of a use permit for a Major Utility.

3. Design review of architectural and landscape plans.

For more details on the design of the buildings and site layout, please refer to the project plans and the August 14, 2018, Planning Commission staff report (attached).

The project also includes the construction of an electric tie-line to connect to the existing PG&E substation. The area between the project site and the Pittsburg Substation is extensively developed with industrial and utility infrastructure which influences the choice of feasible routes for the tie-line. Three preliminary tie-line routes (as shown in the project plans) have been identified: a) west of the fuel oil tank farm (a total line distance of 6,700 feet); b) along an existing NRG access road through the fuel oil tank farm (a total line distance of 3,800 feet); and c) east of the fuel oil tank farm (a total line distance of 5,800 feet). The above ground portion of the final tie-line route chosen (which is to be determined) would include an overhead power line atop poles approximately 77 to 95 feet tall; however, a condition of approval would require the line be placed underground from the project site, as well as north of the Willow Pass Road right-of-way to a point no less than 25 feet north of the Willow Pass Road right-of-way.

Sidewalk, curb, and gutter improvements exist at the site frontage. However, the developer has agreed to conditions of approval that would provide significant frontage improvements along Willow Pass Road, including: 1) a row of street trees placed every 40 feet on center along to help screen the project; 2) removal of sediment and re-landscaping of the existing bioretention basin within the City right-of-way; 3) replacement of the existing chain-link fence with a new vinyl-clad fence; 4) undergrounding of existing PG&E overhead power lines along the project frontage and undergrounding as described in the preceding paragraph; 5) repair or replacement of all damaged sidewalk and storm drains; and 6) pavement repair on Willow Pass Road adjacent to the project frontage.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is located in the 'West Central Subarea' of the Pittsburg General Plan and would conform to the General Plan policies adopted for this subarea. The project site is designated on the General Plan Land Use Map as Business Commercial. This designation is intended to provide sites for a variety of uses including custom manufacturing, limited assembly and light manufacturing. The proposed use, an energy storage project, would be consistent with this intent.

General Plan Policy 2-P-77 addresses the project site specifically to, "allow and encourage development of a Business Commercial complex between Willow Pass Road and the BNSF Railroad track, east of the PG&E transmission corridor." The proposed project would implement the intent of this policy. The project would also provide fiscal benefits to the City of Pittsburg, consistent with the goals of the General Plan Economic Development Element and would add to the energy infrastructure within the City of Pittsburg.

Zoning: The project site's base zone is IP-O (Industrial Park Overlay as specified in Ordinance No. 04-1214, and later amended by Ordinance No. 07-1284) District. The intent of this existing overlay district is to ensure that compatible uses are allowed as appropriate according to proximity to residential uses. The overlay district is also intended to assist in the redevelopment of vacant and underutilized parcels along Willow Pass Road with business and commercial service uses, and to provide sites for service oriented commercial and light industrial uses in a landscaped setting.

The proposed use (battery storage, plus a substation) fits under the zoning ordinance use classification of "major utility" which is defined, in part, to include major power facilities as well as electrical substations. The applicant is requesting an amendment to the existing IP-O District to allow a "Major Utility" subject to approval of a use permit. The proposed tie lines (i.e. overhead power lines) that would connect the project to the existing PG&E Substation are permitted within the IP-O and IG (General Industrial) districts.

Design Guidelines: The proposed project is subject to the City's Development Review Design Guidelines (DRDG), adopted by the Planning Commission through Resolution No. 9864. The DRDGs provide a framework for the design review of residential, commercial, and industrial projects. The project as proposed complies with the DRDGs (see attached 'Design Guidelines Consistency Table' for more details).

Required Findings - Limited Overlay District: In order to approve an amendment to the existing limited overlay, the City Council must find (in accordance with PMC section18.74.060) that the proposed amendment:

A. is necessary because there are special or unique characteristics of the site or improvements that require land use and development regulations that cannot be adequately accommodated or controlled by the base zoning district;

B. conforms to the General Plan; and

C. generally, complies with the land use and development regulations of the base zoning district.

Required Findings - Use Permit: In order to approve a use permit, the City Council must make findings (PMC section 18.16.040) 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; and

I. is consistent with the City's approved funding priorities.

Required Findings - Design Review: In order to approve a design review application, the City Council must determine (in accordance with PMC section 18.36.220.B) that:

A. the structures conform with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;

B. the structures will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;

C. the exterior design and appearance of the structures are not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

D. the structures are in harmony with proposed developments on land in the general area; and

E. the application conforms with the criteria set forth in any applicable City adopted Design Guidelines.

Environmental Review: The proposed project is subject to the California Environmental Quality Act (CEQA), and the State CEQA Guidelines (Public Resources Code section 21080). Pursuant to the provisions of the State CEQA Guidelines, an Initial Study was prepared for the project. Based on the analysis in the study, the Planning Manager determined that potentially significant effects of the project could be lessened through specified mitigations, and subsequently, a draft Mitigated Negative Declaration (MND) was prepared. On February 9, 2018, a Notice of Intent to Adopt a Mitigated Negative Declaration was distributed to the public for a 30-day review, in accordance with CEQA Guidelines section 15105(b). The comment period was extended to March 23, 2018 to accommodate additional public review. Public distribution of the NOI consisted of delivery to the County

Clerk's Office, posting on the City's website, and direct mailing to all interested parties and owners/occupants of the properties directly contiguous with the Project, in accordance with CEQA Guidelines section 15072.

During the public review period one comment letter was received from Delta Diablo. No deficiencies with the environmental analysis were identified by Delta Diablo, so no changes to the Initial Study were made in response to the letter, however a condition of approval has been added to the project to address their general concerns about potential construction impacts to existing wastewater pipeline infrastructure.

Public Notice: On or before Friday, September 7, 2017, in accordance with Government Code sections 65090 and 65091, and PMC section 18.14.020.B and D, a "Notice of Public Hearing," for the September 17, 2018, public hearing on this item was published in the East County Times; was posted at City Hall; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the proposed project site, to local service agencies whose services might be affected by this project, and to individuals who had previously filed written request for such notice.

SUBCOMMITTEE FINDINGS

Not applicable.

STAFF ANALYSIS

Staff believes that the City Council can make the required findings to approve the project as proposed.

Zoning Amendment: The proposed use would require a zoning text amendment to amend the IP-O (Industrial Park Limited Overlay, Ord. No. 04-1214) District such that a "major utility" land use classification would be permitted with a use permit. Staff believes the proposed amendment to the IP-O District is needed to allow further expansion of sustainable energy sources in Pittsburg. The City's Zoning Ordinance does not currently specify where battery storage facilities are permitted because this is a new technology. The storage of renewable energy on the site would help meet a community and statewide need to reduce greenhouse gas emissions, consistent with Assembly Bill (AB) 32 targets.

The existing Empire Business Park Overlay sets forth two subdistricts, the IP-O-1 and IP-O-2. It is important to note that the proposed amendment would apply to the IP-O-2 subdistrict only.

Use Permit: The development of the energy storage project is consistent with the General Plan goal of encouraging development of the business park at this specific site.

The relationship of the proposed project to the adjacent residential development was evaluated in terms of: a) visual quality; b) operational characteristics; and c) sound. In terms of the visual character, the design of the proposed project faces inward. The sound wall at the perimeter of the adjacent residential development provides both a visual and sound barrier between the uses, while the layout of the site plan further screens external equipment with the buildings. The existing landscaping along the east property line would

remain in place. The low key character of the proposed development would be in keeping with the intent of the Industrial Park zoning designation.

In terms of operational characteristics, the project would be unmanned and would be capable of operating 24 hours a day, seven days a week. The only external effect would be a slight change in the sound levels in the vicinity of the project when in operation. As part of the environmental review process, a Noise and Vibration Analysis was prepared to determine the potential change in sound levels both during construction and operation. During construction there would be a substantial change in sound levels; however, this would be regulated by City Ordinance and would last (at the most) for the twelve-month construction period only. During regular facility operation there would be a very slight (0.5 dBA) increase in the sound level at the residences just east of the project site, which is not noticeable to the human ear. At the northern property line of the project site the sound level would be 68 dBA, an increase of 3.8 dBA.

Given the above characteristics of the project in terms of appearance, operational characteristics, and sound level, the project would be considered a compatible use to the adjacent residential uses. It should also be noted that the impacts of this use are estimated to be less than potential impacts of many of the uses that are permitted by the underlying Empire Business Park IP-O District.

The proposed use would not cause any detrimental effects to the City, nor would it cause any public nuisance/enforcement problems, as long as all applicable building and fire regulations are adhered to during the construction/installation phase, and applicable provisions of the PMC are adhered to throughout the life of the use. The proposed project would not create a demand for public services within the City beyond that of the ability of the City to meet because the use is private and would not require any additional public services. The design of the proposed facility encloses and/or screens the proposed use so that it would not have a negative impact on the adjacent residential uses to the east of the project site. The existing landscaping would be retained at the eastern edge of the property and the blank face of the buildings would be screened from view by this landscaping.

Design Review: With regards to design review, staff believes the project has been designed to respect its setting in relationship to existing industrial uses and the adjacent residential uses, and the facility would be substantially screened from public view by landscaping.

The architectural design theme is intended to complement and be compatible with the existing character of neighboring industrial buildings. The established buildings in the area are low profile, industrial buildings using cementitious and metallic exterior materials. The color palette for the large footprint buildings is in the warm beige range and the proposed architectural design shown in Sheets A-1 through A-4 of the project plans, uses tilt-up concrete construction for exterior walls to complement the architectural character of the neighboring buildings, with colors complementary to these buildings. To give a visual and textural interest to the building elevations facing the street, application of a darker beige metal cladding is proposed, complementing the use of metal in the adjacent buildings. The application of exposed roof drainage systems and reveals along the exterior walls provide visual relief and break up the wall surface to smaller modules.

Lastly, the landscape concept includes small canopy trees in combination with groups of low to medium height flowering shrubs and ground cover in arrangement to blend with the existing adjacent driveway and to shield views of the outdoor electrical equipment and provide a water efficient aesthetic frontage on Willow Pass Road. The suggested plant

palate is comprised of drought tolerant species with evergreen foliage. The existing row of trees and driveway edge landscaping at the east side of the site would be left in place. On the west driveway edge trees and ground over are proposed to mirror the landscaping plan on the opposite side of the driveway offsite. Clustered trees and ground cover are proposed for Willow Pass Road.

ATTACHMENTS: 1. Proposed Ordinance
1.a. Exhibit A – Overlay Zoning Map, Land Use & Development Regulations
1.b. Exhibit B – Mitigated Negative Declaration/Initial Study
1.c. Exhibit C – Mitigation Monitoring and Reporting Program
2. Proposed Resolution
3. Project Plans, dated January 12, 2018
4. Adopted Planning Commission Resolution No. 10095
5. Planning Commission Staff Report, dated August 18, 2018
6. Design Guidelines Consistency Table
7. Project Location Map and Surrounding Uses
8. Adopted City Council Ordinance No. 04-1214
9. Adopted City Council Ordinance No. 07-1284
10. Public Hearing Notice

Report Prepared By: Joan Lamphier, Consulting Planner

DIABLO ENERGY STORAGE

DESIGN REVIEW PACKAGE

PITTSBURG, CA



VICINITY MAP

N.T.S.

LEGEND

	EXISTING	PROPOSED
SAWCUT AND CONFORM LINE		
RETAINING WALL		
A.C. PAVEMENT		
CONC. VALLEY GUTTER		
CONC. SIDEWALK OR PAD		
6" CURB & GUTTER		
EDGE OF A.C. PAVEMENT	EP	
6" VERTICAL CURB		
CENTER LINE		
SANITARY SEWER MAIN	8" SS	8" SS
STORM DRAIN MAIN	12" SD	15" SD
PERFORATED PIPE		6" SD
WATER MAIN	6" W	6" W
FIRE WATER MAIN	6" FW	4" FW
DOMESTIC WATER MAIN	6" DW	4" DW
CHILLED WATER MAIN	6" CHW	4" CHW
IRRIGATION LINE	2" IRR	4" IRR
HOT WATER SUPPLY & RETURN	HWS-HWR	HWS HWR
STEAM LINE	ST	ST
TRENCH DRAIN		
CONDENSATE RETURN	CR	CR
METAL BEAM GUARD RAIL		
SILT FENCE		
FLOW LINE		
CHAIN LINK FENCE	x x	x x
GAS MAIN	G	2" G
ELECTRIC AND SIGNAL DUCT BANK	E	E
OVERHEAD ELECTRIC LINE	OHE	OHE
UNDERGROUND ELECTRIC LINE	UGE	UGE
STREET LIGHT CONDUIT	SL	SL
CONTOUR ELEVATION LINE	85	90 89
SPOT ELEVATION	x 95.94	FG 95.94
DIRECTION OF SLOPE		2:1 1%
GAS METER	GM	GM
GAS VALVE	GV	GV
WATER METER	WM	WM
WATER VALVE	WV	WV
FIRE HYDRANT		
BACK FLOW PREVENTOR		
POST INDICATOR VALVE	PIV	
FIRE DEPARTMENT CONNECTION		
WATER LINE TEE		
CAP AND PLUG END		
AIR RELEASE VALVE		ARV
SIGN		
ACCESSIBLE RAMP		
CONCRETE THRUST BLOCK		
REDUCER		
SANITARY SEWER MANHOLE		
SANITARY SEWER CLEANOUT	SSCO	SSCO
STORM DRAIN MANHOLE		
STORMCEPTOR		
STORM DRAIN AREA DRAIN		
STORM DRAIN CATCH BASIN	CB	
STORM DRAIN CURB INLET		
STORM DRAIN CLEANOUT	SDCO	SDCO
ELECTROLIER		
JOINT POLE	JP	
OVERLAND RELEASE		
CONSTRUCTION DETAIL REFERENCE		15 / C5.2 DETAIL REFERENCE SHEET REFERENCE

PROJECT DESCRIPTION

THESE PRELIMINARY PLANS PROPOSE THE CONSTRUCTION OF CONCRETE PADS TO MOUNT BATTERY CUBES AND ASSOCIATED CONTROL EQUIPMENT INCLUDING INVERTERS AND TRANSFORMERS. THE PROJECT ALSO PROPOSES CONSTRUCTION OF A FIRE ACCESS LANE AROUND THE PADS AS WELL AS AN ELECTRIC SUBSTATION. BECAUSE THE FACILITY WILL BE UNOCCUPIED, NO POTABLE WATER SYSTEM OR SANITARY SEWER SYSTEM IS PROPOSED. NO EXTERIOR LIGHTING IS PROPOSED. EXISTING DRIVEWAY AND PARKING WILL BE USED. THERE WILL BE ROOM FOR PARKING ONSITE FOR OCCASIONAL SITE VISITS.

OWNER INFO

EMPIRE BUSINESS PARK
1500 3RD STREET #C
NAPA, CA 94559
PH: (707)255-6540

APPLICANT INFO

DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD, SUITE #480
PLEASANTON, CA 94588
PH: (925)201-5240

STRUCTURAL ENGINEER

BENNETT & PLESS INC.
47 PERIMETER CENTER EAST, SUITE #500
ATLANTA, GA 30346
PH: (470)386-9989

CIVIL ENGINEER

SANDIS CIVIL ENGINEERS
1700 SOUTH WINCHESTER BLVD.
CAMPBELL, CA 95008
PH: (408)636-0900

CITY OF PITTSBURG PROJECT DATA SUMMARY TABLE

Site Information	
Street Address	701 Willow Pass Road, Pittsburg, CA
Assessor's Parcel Number	085-280-010
Zoning	Industrial Park - Limited Overlay (IP-O)
Proposed Lot Area	11.85 ac
Disturbed Area	10.53 ac
Square Footage of Building	N/A
Percentage of Lot Coverage for Structures	41%
Floor Area Ratio	N/A
Percentage of Landscape Coverage	21%
Number of Proposed and Required Parking Spaces	0
Existing Landscape Area	458,471 SF
Proposed Landscape Area	107,241 SF
Existing Impervious Area	0 SF
Proposed Impervious Area	187,833 SF

EARTHWORK QUANTITIES

CUT 32,275 CY
FILL 9,031 CY
BALANCE 23,244 CY CUT

THE EARTHWORK QUANTITIES SHOWN ARE PROVIDED FOR THE PURPOSE OF GRADING PERMIT APPROVAL ONLY. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CARRY OUT THE CUT/FILL, IMPORT/EXPORT AS NECESSARY TO MEET THE DESIGN GRADES AS SHOWN ON THE PLANS REGARDLESS OF THE ESTIMATED EARTHWORK QUANTITIES AS INDICATED. SIGNIFICANT REVISIONS TO THE QUANTITIES NEED REVIEW BY THE CITY OF PITTSBURG. FILL SHORTAGE IS ANTICIPATED TO COME FROM ON-SITE SPOILS ACQUIRED FROM UTILITY TRENCHES AND FOOTING SPOILS.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO DEFEND, INDEMNIFY AND HOLD DESIGN PROFESSIONAL HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING LIABILITY ARISING FROM SOLE NEGLIGENCE OF DESIGN PROFESSIONAL.

811 Know what's below. Call before you dig.

UNAUTHORIZED CHANGES AND USES

CAUTION: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THE PLANS.

SHEET INDEX

C-1A	COVER SHEET
C-5B	CONCEPTUAL GRADING PLAN
C-6B	CONCEPTUAL SITE PLAN
C-7B	CONCEPTUAL DRAINAGE PLAN
C-8B	CONCEPTUAL LANDSCAPE PLAN
C-9A	CORE ISOMETRIC VIEWS & SECTIONS
A1-B	TYPICAL FOUNDATION PLAN
A-4B	INTERIOR ELEVATION VIEWS
A-5B	EXTERIOR ELEVATION VIEWS
A-5C	WALL DETAILS

ABBREVIATIONS

AB	–	AGGREGATE BASE
AC	–	ASPHALT CONCRETE
AD	–	AREA DRAIN
ADA	–	AMERICANS WITH DISABILITIES ACT
ASB	–	AGGREGATE SUBBASE
BC	–	BEGINNING OF CURVE
BFP	–	BACK FLOW PREVENTOR
BLDC	–	BUILDING CORNER
BLDG	–	BUILDING
BOD	–	BOTTOM OF DOCK
BOL	–	BOLLARD
BOS	–	BOTTOM OF STEP
BOW	–	FG @ BOTTOM OF WALL
BVC	–	BEGIN VERTICAL CURVE
BW	–	BACK OF WALK
C	–	CONCRETE OR CIVIL
C&G	–	CURB AND GUTTER
CB	–	CATCH BASIN
CI	–	CURB INLET
CIP	–	CAST IRON PIPE
CL	–	CENTER LINE OR CLASS
CMP	–	CORRUGATED METAL PIPE
CO	–	CLEANOUT
CONC	–	CONCRETE
CONST	–	CONSTRUCTION OR CONSTRUCT
CY	–	CUBIC YARD
DCDA	–	DOUBLE CHECK DETECTOR ASSEMBLY
DI	–	DROP INLET
DIP	–	DUCTILE IRON PIPE
DOM	–	DOMESTIC
DW	–	DOMESTIC WATER
DWG	–	DRAWING
E	–	EAST
EC	–	END OF CURVE
EP	–	EDGE OF PAVEMENT
ER	–	END OF RETURN
EVC	–	END VERTICAL CURVE
ELEV	–	ELEVATION
EX., EXIST.	–	EXISTING
FC	–	FACE OF CURB
FDC	–	FIRE DEPARTMENT CONNECTION
FF	–	FINISHED FLOOR
FG	–	FINISHED GRADE
FH	–	FIRE HYDRANT
FL	–	FLOW LINE
FOUND	–	FOUNDATION
FS	–	FINISHED SURFACE
FT	–	FOOT
FW	–	FIRE WATER
G	–	GROUND ELEVATION
GB	–	GRADE BREAK
GV	–	GATE VALVE
HCR	–	ACCESSIBLE RAMP
HP	–	HIGH POINT
INV	–	INVERT ELEVATION
JP	–	JOINT POLE
JT	–	JOINT TRENCH
LIP	–	LIP OF GUTTER
LP	–	LOW POINT
LSA	–	LANDSCAPE ARCHITECT
MAX	–	MAXIMUM
MEP	–	MECHANICAL/ELECTRICAL/PLUMBING
MH	–	MANHOLE
MIN	–	MINIMUM
MPVC	–	MIDPOINT OF VERTICAL CURVE
MON	–	MONUMENT
N	–	NORTH
N.I.C.	–	NOT IN CONTRACT
NO	–	NUMBER
NTS	–	NOT TO SCALE
P	–	PAVEMENT ELEVATION
PCC	–	PORTLAND CEMENT CONCRETE / POINT OF CONTINUOUS CURVATURE
PIV	–	POST INDICATOR VALVE
PL	–	PROPERTY LINE
PMH	–	POWER MANHOLE
POC	–	POINT ON CURVE
PP	–	POWER POLE
PRC	–	POINT OF REVERSE CURVATURE
PVC	–	POLYVINYL CHLORIDE PIPE
R	–	RADIUS
RC	–	RELATIVE COMPACTION
RCP	–	REINFORCED CONCRETE PIPE
RPPA	–	REDUCED PRESSURE PRINCIPLE ASSEMBLY
R/W	–	RIGHT OF WAY
S	–	SLOPE OR SOUTH
S.A.D.	–	SEE ARCHITECTURAL DRAWINGS
SB	–	SEDIMENT BASIN
SD	–	STORM DRAIN
S.E.D.	–	SEE ELECTRICAL DRAWINGS
SF	–	SILT FENCE
SG	–	SUBGRADE
S.L.D.	–	SEE LANDSCAPE DRAWINGS
S.M.D.	–	SEE MECHANICAL DRAWINGS
SMH	–	SIGNAL MANHOLE
S.P.D.	–	SEE PLUMBING DRAWINGS
SS	–	SANITARY SEWER
STA	–	STATION
STD	–	STANDARD
S/W	–	SIDEWALK
TC	–	TOP OF CURB
TD	–	TRENCH DRAIN
TOD	–	TOP OF DOCK
TOE	–	TOE OF SLOPE
TOS	–	TOP OF STAIR
TOW	–	FG @ TOP OF WALL
TS	–	TOP OF SLAB
TYP	–	TYPICAL
UON	–	UNLESS OTHERWISE NOTED
U/G	–	UNDERGROUND
VC	–	VERTICAL CURVE
WM	–	WATER METER
WV	–	WATER VALVE
W	–	WEST
WWF	–	WELDED WIRE FABRIC
W/	–	WITH

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DATE MAY 12, 2020

CHAD J. BROWNING
R.C.E. NO. 68315, EXPIRES 9-30-21

REVISIONS

NO.	DATE:	REMARKS

COVER SHEET

DIABLO ENERGY STORAGE

DRAWN BY:	REVIEWED BY:
MF	NT
SCALE: AS INDICATED	DATE: 05/12/2020

SHEET NUMBER:

C-1A
05/12/2020

PLOTTED: 5/7/2020 6:43:50 PM FILE NAME: Project Information.rvt

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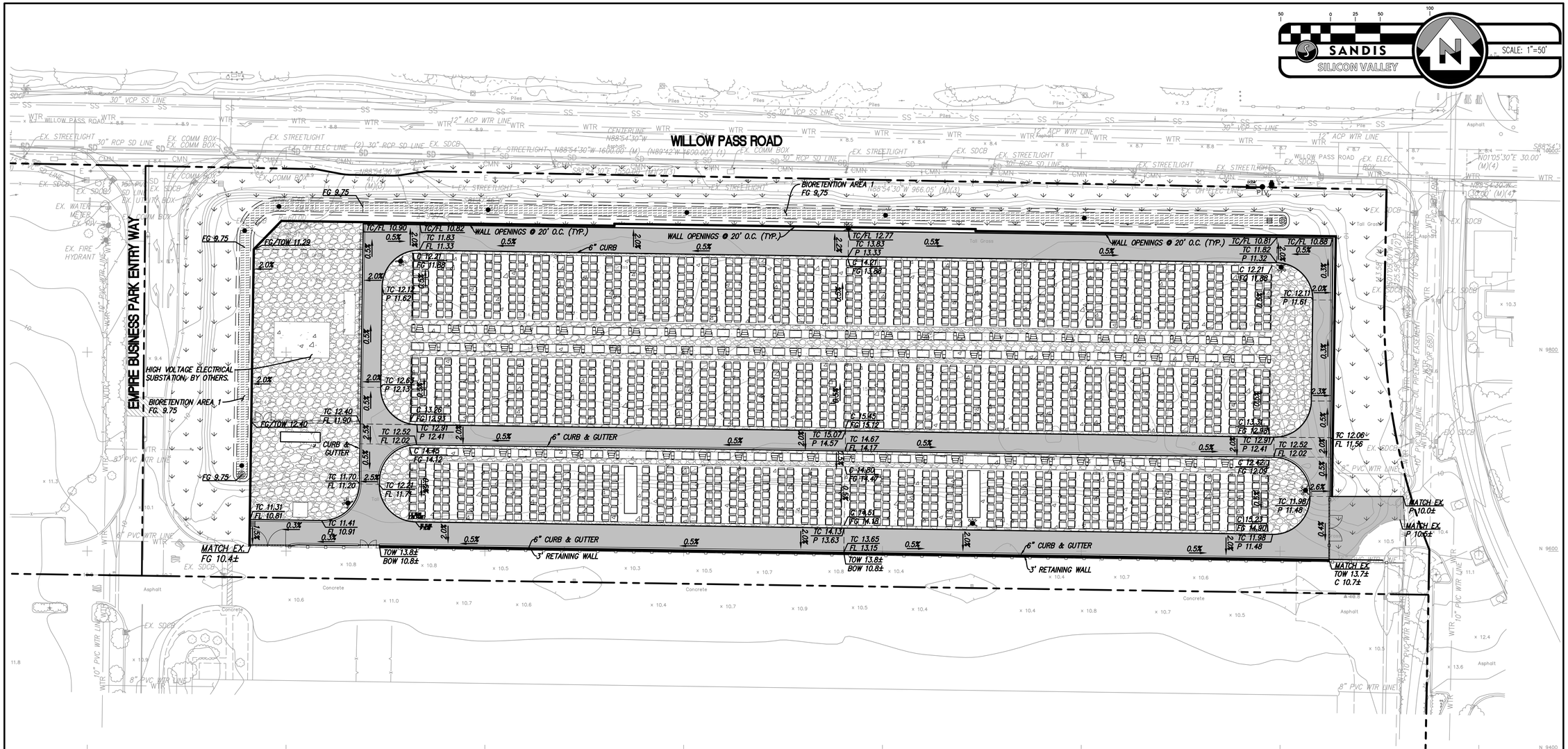

GRADING PLAN LEGEND

- COMPACTED CLASS II GRAVEL (4 / C-10.A)
- GRAVEL
- CONCRETE PAVING
- LANDSCAPE AREA, SEE SHEET C-8.0 FOR DETAILS
- BIO-RETENTION AREA (6 / C-10.A)
- PHASE 2 OF CONSTRUCTION
- PROPOSED FENCE
- PROPOSED 6" CURB
- PROPOSED 6" CURB & GUTTER

GRADING NOTES

1. PROVIDE POSITIVE SURFACE DRAINAGE AWAY FROM ALL STRUCTURES BY SLOPING ALL HARDSCAPE SURFACES AT 2% AND LANDSCAPE SURFACES AT 5% AWAY FROM STRUCTURES UNLESS OTHERWISE NOTED ON PLANS.
2. GRADING AS SHOWN MAY REQUIRE OVER-EXCAVATION AND BACKFILL AS REQUIRED BY THE GEOTECHNICAL REPORT PERFORMED BY TERRACON, DATED JANUARY 28, 2020, PROJECT ND195078. ANY NECESSARY OVER-EXCAVATION IS NOT ACCOUNTED FOR WITHIN THE EARTHWORK QUANTITIES.
3. COORDINATE THE PLACEMENT OF ALL SLEEVES FOR LANDSCAPE IRRIGATION (WATER AND CONTROL WIRING) AND SITE LIGHTING PRIOR TO THE PLACEMENT OF ANY ASPHALT, BASEROCK OR CONCRETE SURFACING. SEE LANDSCAPING AND SITE ELECTRICAL DRAWINGS.
4. ROUGH GRADING TO BE WITHIN 0.1' AND FINISH GRADES ARE TO BE WITHIN 0.05', HOWEVER CONTRACTOR SHALL NOT CONSTRUCT ANY IMPROVEMENTS THAT WILL CAUSE WATER TO POND OR NOT MEET REQUIREMENTS IN GRADING NOTE #1 OR THE ADA REQUIREMENTS BELOW. DO NOT ADJUST GRADES ON THIS PLAN WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER/ARCHITECT.
5. THE CONTRACTOR SHALL EXERCISE EXTREME CARE TO CONFORM TO THE LINES, GRADES, SECTIONS, AND DIMENSIONS AS SET FORTH ON THESE PLANS. ALL GRADED AREAS SHALL CONFORM TO THE VERTICAL ELEVATIONS SHOWN WITH A TOLERANCE OF ONE-TENTH OF A FOOT. WHERE GRADED AREAS DO NOT CONFORM TO THESE TOLERANCES, THE CONTRACTORS SHALL BE REQUIRED TO DO CORRECTIVE GRADING, AT NO EXTRA COST TO THE CLIENT.
6. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM THE GROUND ELEVATIONS AND OVERALL TOPOGRAPHY OF THE SITE PRIOR TO THE START OF CONSTRUCTION AS TO THE ACCURACY BETWEEN THE WORK SET FORTH ON THESE PLANS AND THE WORK IN THE FIELD. ANY DISCREPANCIES SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE CONSTRUCTION MANAGER AND CIVIL ENGINEER IN WRITING PRIOR TO START OF CONSTRUCTION WHICH MAY REQUIRE CHANGES IN DESIGN AND/OR AFFECT THE EARTHWORK QUANTITIES.
7. ALL GRADING SHALL CONFORM TO APPROVED SPECIFICATIONS PRESENTED HEREON OR ATTACHED HERETO. ALL GRADING WORK SHALL BE OBSERVED AND APPROVED BY THE SOILS ENGINEER. THE SOILS ENGINEER SHALL BE NOTIFIED AT LEAST 48 HOURS BEFORE BEGINNING ANY GRADING. UNOBSERVED AND UNAPPROVED GRADING WORK SHALL BE REMOVED AND REDONE AT THE CONTRACTORS EXPENSE.
9. THE CONTRACTOR SHALL BE RESPONSIBLE TO REPAIR OR REPLACE ANY EXISTING IMPROVEMENTS OF UNDERGROUND FACILITIES DAMAGED DURING THE CONSTRUCTION PERIOD.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL ENCROACHMENT, EXCAVATION, CONCRETE, ELECTRICAL, PLUMBING, ETC. PERMITS NECESSARY PRIOR TO BEGINNING CONSTRUCTION FOR ANY WORK.
11. THE RISE/ RUN/ STEP COUNT IS FOR REFERENCE ONLY. THE CONTRACTOR SHALL VERIFY ELEVATIONS AND BUILDING CODE COMPLIANCE PRIOR TO ANY WORK.
12. AREAS LACKING TOPOGRAPHIC INFORMATION (ELEVATIONS) HAVE BEEN INTERPOLATED USING STANDARD ENGINEERING METHODS. CONTRACTOR SHALL FIELD VERIFY ALL ELEVATIONS AT CONFORMS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND REPORT BACK ANY DISCREPANCIES TO THE CIVIL ENGINEER.
13. ADJUST ANY MANHOLE OR UTILITY STRUCTURES TO PROPOSED GRADE PRIOR TO INSTALLING FINAL LIFT OF AC OR POURING CONCRETE.

SCALE: 1"=50'

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CONCEPTUAL GRADING PLAN

DIABLO ENERGY STORAGE

DRAWN BY:	REVIEWED BY:
MF	NT
SCALE: AS INDICATED	DATE: 05/12/2020

SHEET NUMBER:

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05/12/2020

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SANDIS SILICON VALLEY

SCALE: 1"=50'

SITE PLAN LEGEND

- COMPACTED CLASS II GRAVEL (4 C-10A)
- GRAVEL
- CONCRETE PAVING PHASE I
- CONCRETE PAVING PHASE II
- LANDSCAPE AREA, SEE SHEET C-8.B FOR DETAILS
- BIO-RETENTION AREA (6 C-10A)
- PROPOSED FENCE
- PROPOSED RETAINING WALL



GENERAL NOTES

1. AREA CAN BE OPTIMIZED TO REDUCE GRAVEL AND USE HYDROSEED OPTION WHERE AVAILABLE.
2. SUBSTATION MODIFIED TO REFLECT UNDERGROUND CONNECTION (CONCEPTUAL).

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CONCEPTUAL SITE PLAN

DIABLO ENERGY STORAGE

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C-6B
05/12/2020

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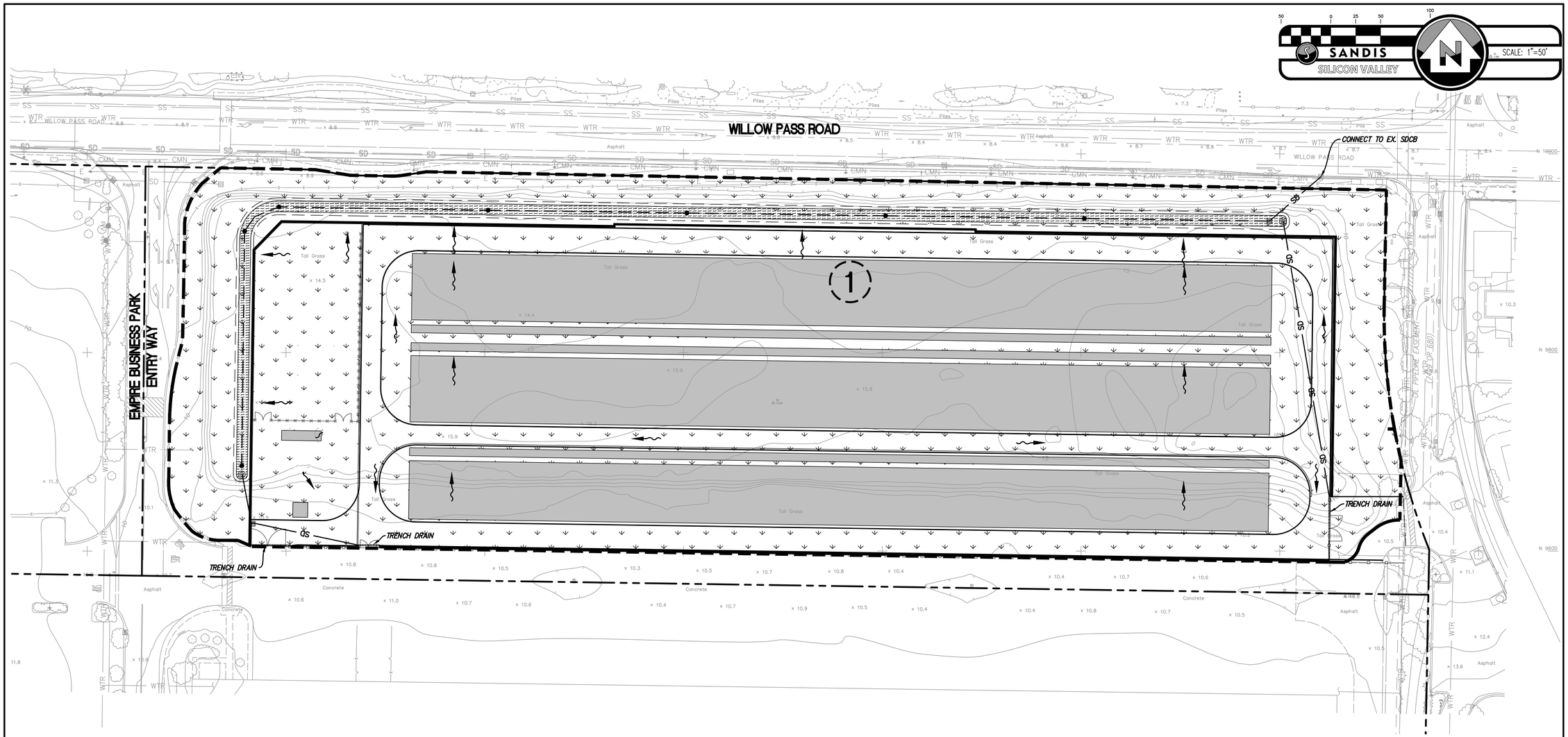

BMP Summary Table - Diablo Energy Storage					
Drainage Area	TOTAL AREA		Treatment Area Required (sf)	Treatment Control Method	Treatment Provided (sf)
	sq. ft.	Ac.			
DMA-1	**458,471**	10.53	7,513	Bioretention Area 1	14,374

LEGEND

- PROPERTY LINE
- SD — PROPOSED STORM DRAIN PIPE
- BIO-TREATMENT AREA
- PROPOSED DRAINAGE INTENT
- DRAINAGE AREA BOUNDARY

SITE TREATMENT AREA NOTE:

THIS PROJECT IS REPLACING MORE THAN 50% OF THE EXISTING IMPERVIOUS AREA AND THEREFORE MUST TREAT THE ENTIRE SITE.

STORMWATER MANAGEMENT NOTES:

1. *THIS PLAN PRESENTS METHODS AND CALCULATIONS FOR COMPLYING WITH THE REQUIREMENTS OF PROVISION C.3 OF THE MUNICIPAL REGIONAL STORMWATER PERMIT IN ACCORDANCE WITH THE CONTRA COSTA COUNTY PROGRAM AND THE CITY OF PITTSBURG REQUIREMENTS.*
2. *THE FOLLOWING TREATMENT MEASURES ARE PROPOSED TO REGULATE THE QUALITY OF STORM WATER LEAVING THE SITE*
   - 2.1. *SELF-TREATING AREA – RUNOFF IN THIS AREA ORIGINATES IN AND FLOWS THROUGH PLANTING PRIOR TO EXITING THE PROJECT SITE, NO TREATMENT IS REQUIRED.*
   - 2.2. *BIO-RETENTION AREA – RUNOFF IN THIS AREA IS DIRECTED TO A BIO-RETENTION PLANTER/AREA FOR FILTRATION, INFILTRATION AND EVAPOTRANSPIRATION PRIOR TO EXISTING THE SITE. PLANTING AND SOIL REQUIREMENTS APPLY, SEE DETAIL 6/C-9.0.*

FIRE WATER SYSTEM NOTES

1. *MAINTAIN WATER MAIN LINES 10' AWAY FROM SANITARY SEWER MAIN LINES. LATERALS SHALL BE SEPARATED PER PLAN DIMENSIONS.*
2. *WHERE WATER LINES HAVE TO CROSS SANITARY SEWER LINES, DO SO AT A 90 DEGREE ANGLE AND WATER LINES SHALL BE MINIMUM OF 12" ABOVE TOP OF SANITARY SEWER LINES.*
3. *ALL WATER SERVICE CONNECTIONS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPLICABLE WATER DISTRICT STANDARDS.*
4. *ALL WATER LINES SHALL BE INSTALLED WITH 36" MINIMUM COVER.*
5. *THRUST RESTRAINTS SHALL BE DESIGNED AND INSTALLED AT ALL TEES, CROSSES, BENDS (HORIZONTAL AND VERTICAL), AT SIZE CHANGES AND AT FIRE HYDRANTS.*

STORM DRAIN NOTES

1. *PRIVATE STORM DRAIN LINE 4-INCH THROUGH 12-INCH WITH A MINIMUM OF TWO (2) FEET OF COVER IN NON-TRAFFIC AREAS SHALL BE POLYVINYL CHLORIDE (PVC) SDR 35 GREEN PIPE AND SHALL CONFORM TO THE REQUIREMENTS OF ASTM DESIGNATION D 3034-73 WITH BELLS AND SPIGOT CONNECTIONS. ALL DIRECTION CHANGES SHALL BE MADE WITH WYE CONNECTIONS, 22.5° ELBOWS, 45° ELBOWS OR LONG SWEEP ELBOWS, 90° ELBOWS AND TEE'S ARE PROHIBITED.*
2. *PRIVATE STORM DRAIN LINE 6-INCH THROUGH 12-INCH WITH LESS THAN THREE (3) FEET OF COVER IN VEHICULAR TRAFFIC AREAS SHALL BE POLYVINYL CHLORIDE (PVC) C900, RATED FOR 150 PSI CLASS PIPE. PROVIDE AND INSTALL "STORM DRAIN" MARKER TAPE FOR THE ENTIRE LENGTH OF PIPE TRENCH. ALL DIRECTION CHANGES SHALL BE MADE WITH WYE CONNECTIONS, OBTUSE ELBOWS OR LONG SWEEP ELBOWS, 90° ELBOWS AND TEE'S ARE PROHIBITED.*
3. *ALL TRENCHES SHALL BE BACK FILLED PER THE SPECIFICATIONS WITH APPROPRIATE TESTS BY THE GEOTECHNICAL ENGINEER TO VERIFY COMPACTION VALUES.*
4. *FOR GRAVITY FLOW SYSTEMS CONTRACTOR SHALL VERIFY (POTHOLE IF NECESSARY) SIZE, MATERIAL, LOCATION AND DEPTH OF ALL SYSTEMS THAT ARE TO BE CONNECTED TO OR CROSSED PRIOR TO THE TRENCHING OR INSTALLATION OF ANY GRAVITY FLOW SYSTEM.*

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CONCEPTUAL DRAINAGE PLAN

DIABLO ENERGY STORAGE

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MF	NT
SCALE: AS INDICATED	DATE: 05/12/2020

SHEET NUMBER:

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05/12/2020

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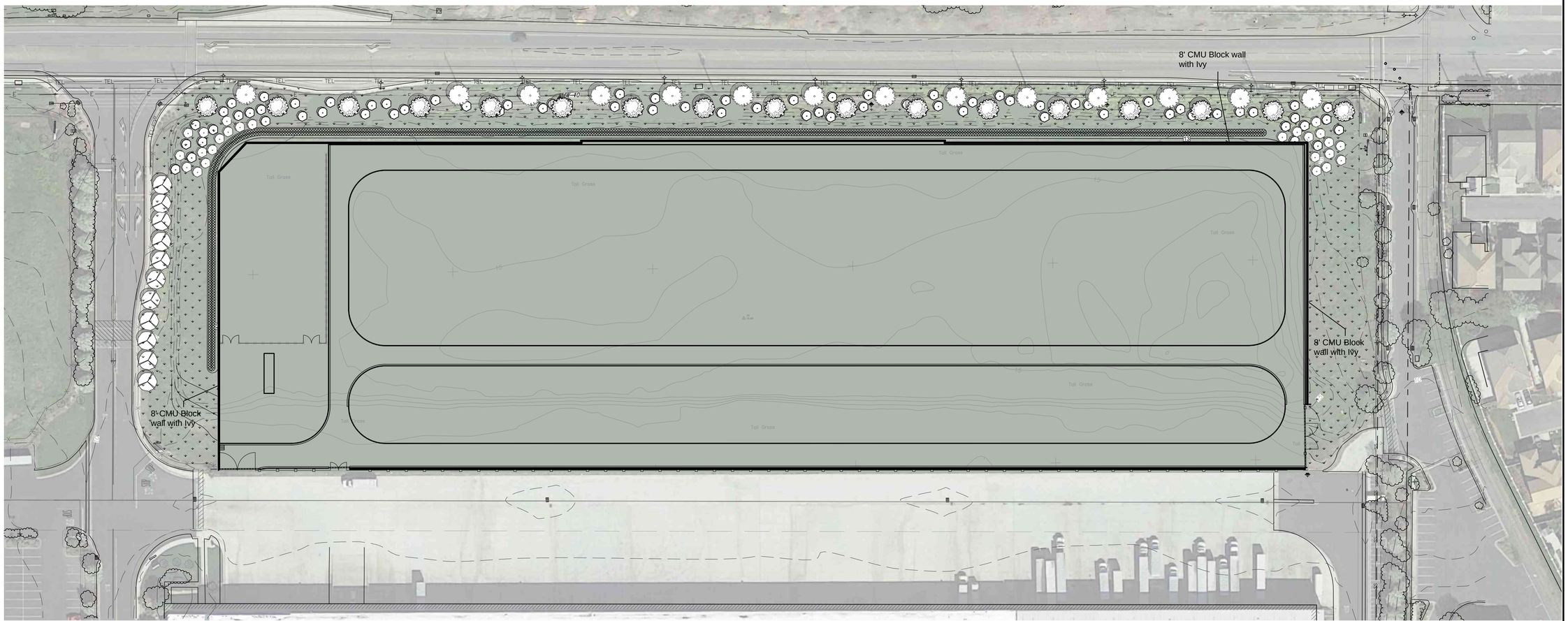
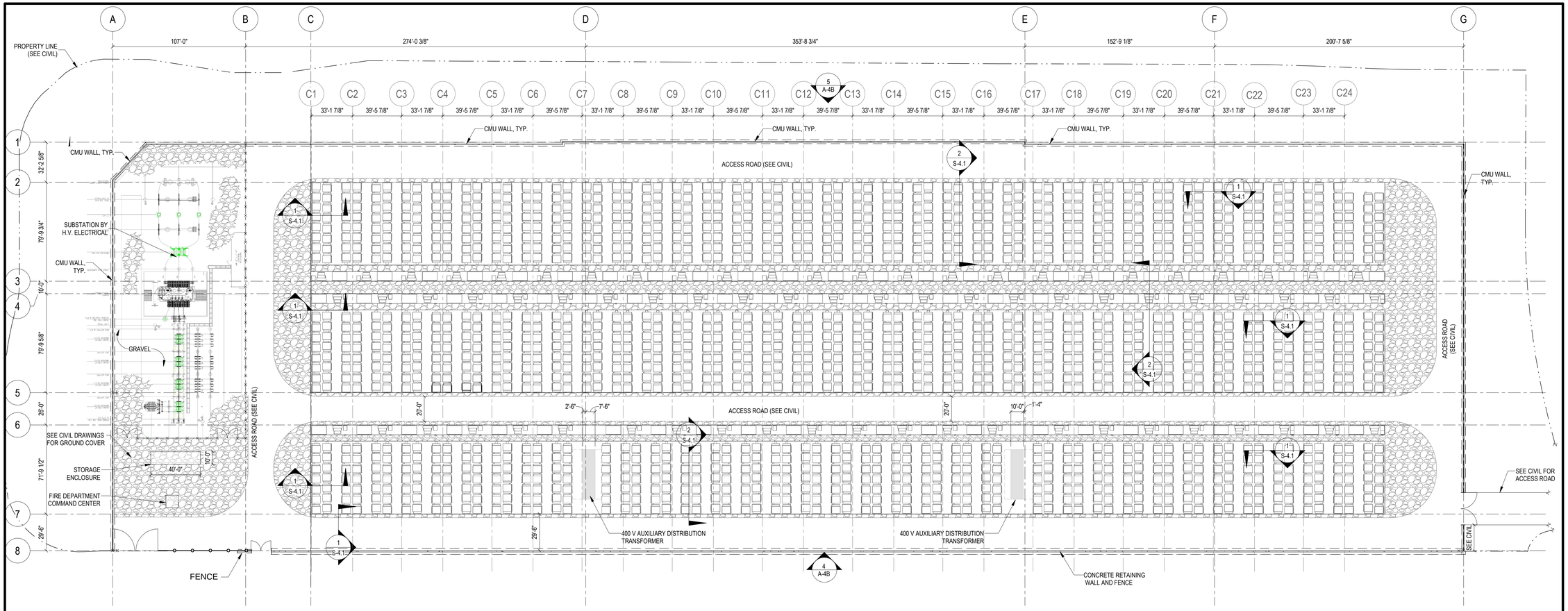

8' CMU Block wall with Ivy
8' CMU Block wall with Ivy
8' CMU Block wall with Ivy
Toll Gross
Toll Gross
Toll Gross



FOUNDATION PLAN 1 / A-1B

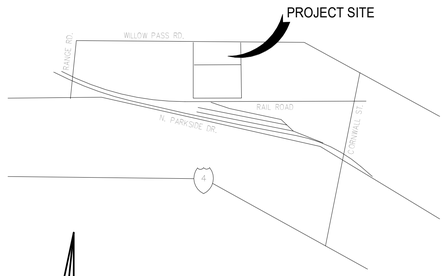
SCALE: 1" = 40'-0"

FOUNDATION PLAN LEGEND:

- (1) INDICATES NOTE REFERRAL. SEE CORRESPONDING FOUNDATION PLAN NOTE.
- INDICATES SLAB ELEVATION RELATIVE TO ADJACENT GRADE. REFER TO CIVIL DRAWINGS
- INDICATES SLAB REINFORCEMENT DIRECTION.
- INDICATES GRAVEL (SEE CIVIL)
- BATTERY CUBE

FOUNDATION PLAN NOTES:

1. MAT FOUNDATION:
   A. SLAB: 16" THICK (F'_c = 4000 PSI)
   B. REINFORCEMENT: #6 @ 12" ON CENTER, TOP AND BOTTOM.
   C. REINFORCEMENT: #6 @ 12" ON CENTER, TOP AND BOTTOM.
   D. MAT FOUNDATION CONTRACTION OR CONSTRUCTION JOINTS: SEE REINFORCED CONCRETE NOTE #15 ON SHEET S-1 FOR CONSTRUCTION OR CONTRACTION JOINT REQUIREMENTS. DO NOT CUT SLAB AT EQUIPMENT ANCHORAGE LOCATIONS.
2. CORE FOUNDATION SUB-GRADE TO BE PER REFERENCED GEOTECHNICAL REPORT. COORDINATE PLACEMENT AND COMPACTION REQUIREMENTS WITH GEOTECHNICAL REPORT. COORDINATE VAPOR BARRIER REQUIREMENTS WITH ARCHITECTURAL DRAWINGS.
3. SEE CIVIL DRAWINGS FOR WATER DRAINAGE AND FOUNDATION SLAB SLOPE REQUIREMENTS.
4. SOIL IMPROVEMENT UNDER THE MAT FOUNDATION REQUIRED TO MEET ASSUMED ALLOWABLE BEARING PRESSURE.



VICINITY MAP

NOT TO SCALE

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FOUNDATION PLAN & CORE LAYOUT

DIABLO ENERGY STORAGE

DRAWN BY:	REVIEWED BY:
SCALE: AS INDICATED	DATE: 05/05/2020

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A-1B

05/12/2020

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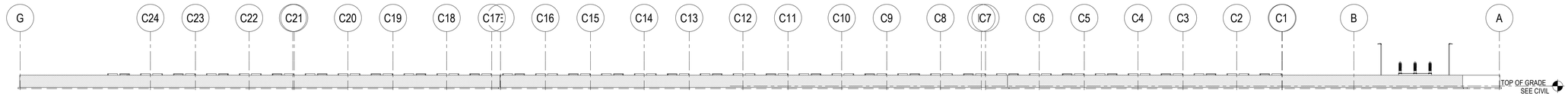
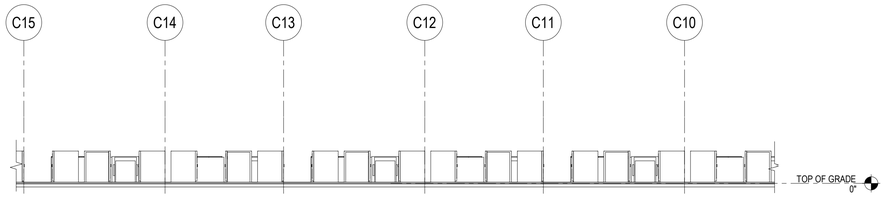


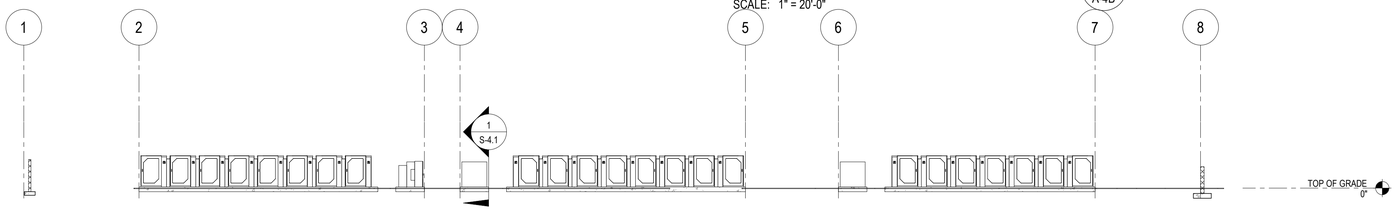
OVERALL NORTH STREET ELEVATION VIEW 5 A-4B

SCALE: 1" = 40'-0"



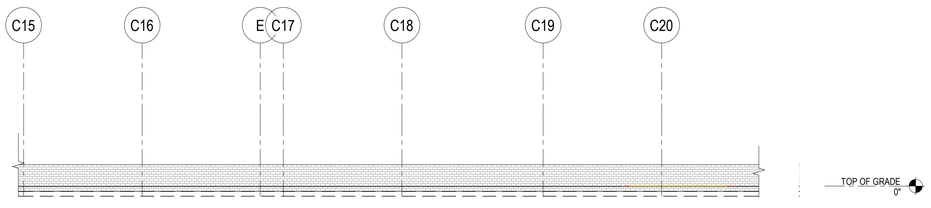
NORTH ELEVATION CENTER VIEW 3 A-4B

SCALE: 1" = 20'-0"



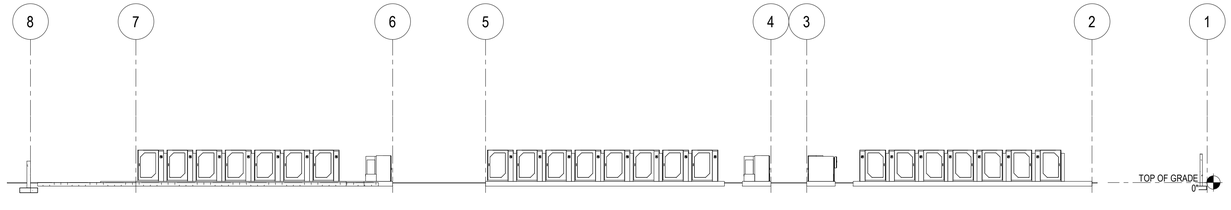
WEST ELEVATION VIEW 1 A-4B

SCALE: 1" = 20'-0"



SOUTH ELEVATION VIEW 4 A-4B

SCALE: 1" = 20'-0"



EAST ELEVATION VIEW 2 A-4B

SCALE: 1" = 20'-0"

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INTERIOR ELEVATION VIEWS

DIABLO ENERGY STORAGE

DRAWN BY:	REVIEWED BY:
SCALE: AS INDICATED	DATE: 03/05/20

SHEET NUMBER:

A-4B

05/12/2020

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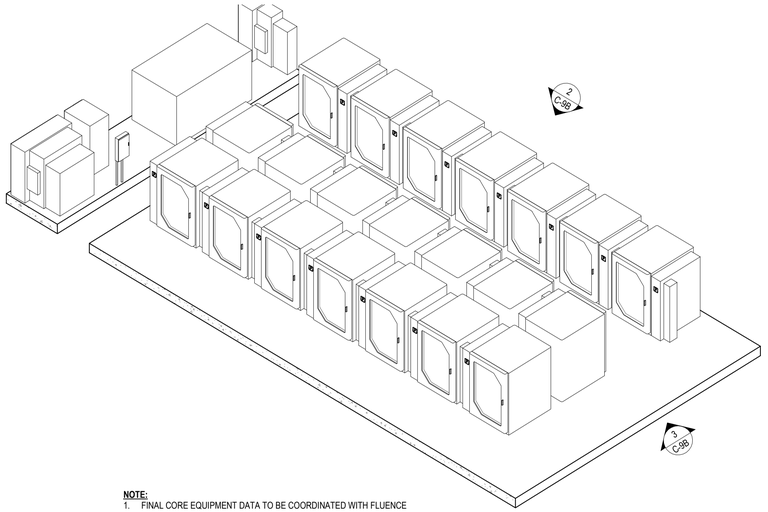


NOTE:
1. FINAL CORE EQUIPMENT DATA TO BE COORDINATED WITH FLUENCE

CORE ISOMETRIC.

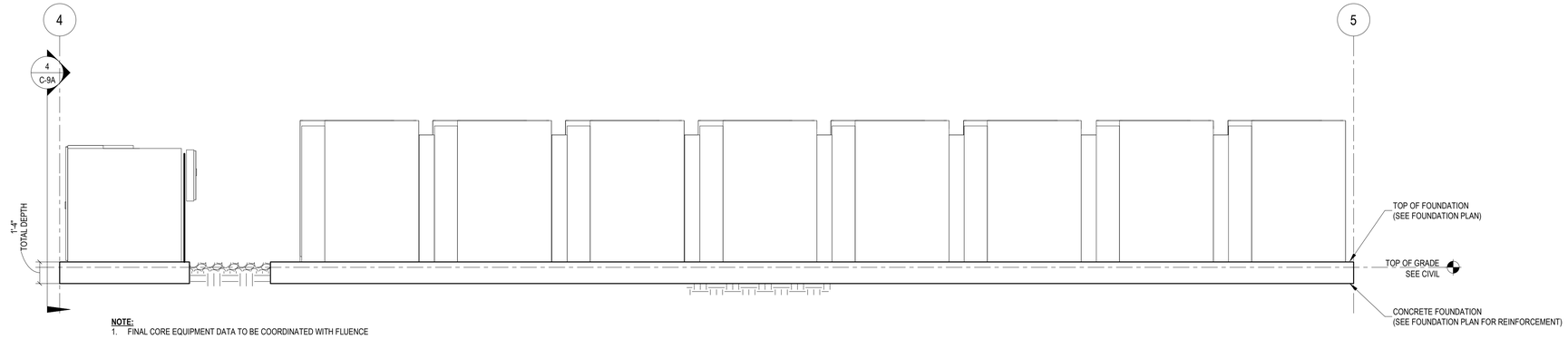
SCALE:

1 / C-9A

NOT USED

SCALE:

2 / C-9A

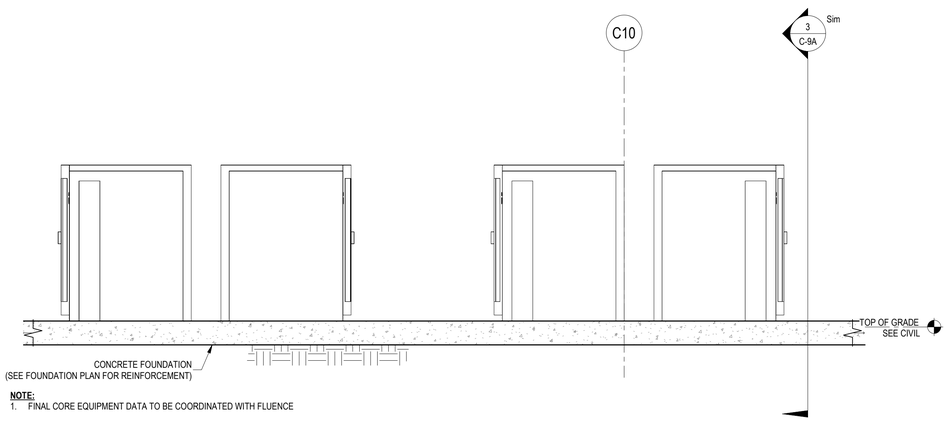


NOTE:
1. FINAL CORE EQUIPMENT DATA TO BE COORDINATED WITH FLUENCE

ELEVATION VIEW OF CORE LONGITUDINAL

SCALE: 1/4" = 1'-0"

3 / C-9A



NOTE:
1. FINAL CORE EQUIPMENT DATA TO BE COORDINATED WITH FLUENCE

ELEVATION VIEW OF CORE

SCALE: 1/4" = 1'-0"

4 / C-9A

PLOTTED: 5/13/2020 10:54:14 AM FILE NAME: Project Information.rvt

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REVISIONS

NO.	DATE:	REMARKS

CORE ISOMETRIC VIEWS & SECTIONS

DIABLO ENERGY STORAGE

DRAWN BY:	REVIEWED BY:
SCALE: AS INDICATED	DATE: 05/11/2020

SHEET NUMBER:

C-9A

05/12/2020

NOT RELEASED FOR CONSTRUCTION

GENERAL NOTES

1. SIGNAGE ALONG THE NORTHWEST PORTION OF THE WALL COMPRISED OF METAL LETTERING ATTACHED DIRECTLY TO THE CMU WALL AND READING 'PITTSBURG ENERGY STORAGE TECHNOLOGY PARK'. SEE IMAGE BELOW FOR LAYOUT AND FORMAT.



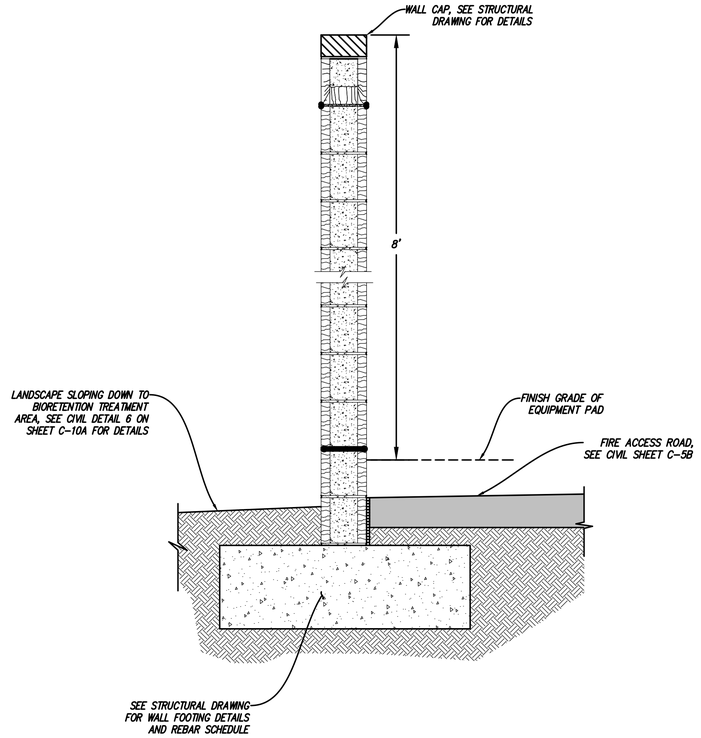
2. CMU WALL SHALL BE 8' HIGH AND SHOULD BE OF THE SAME COLOR AND DESIGN AS WALL SHOWN IN PHOTO ABOVE.

3. CUBE COLOR TO MATCH SWATCH 1 SHOWN BELOW WITH THE RGB VALUE 106 RED, 91 GREEN, 82 BLUE, AND HEX CODE a48d7f. SEE SWATCH 1 BELOW.

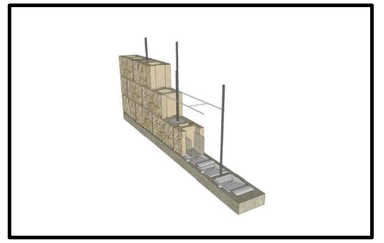
SWATCH 1

4. IVY TO COVER OUTER FACE OF CMU WALL. SEE LANDSCAPE SHEET C-8B FOR ADDITIONAL DETAILS.



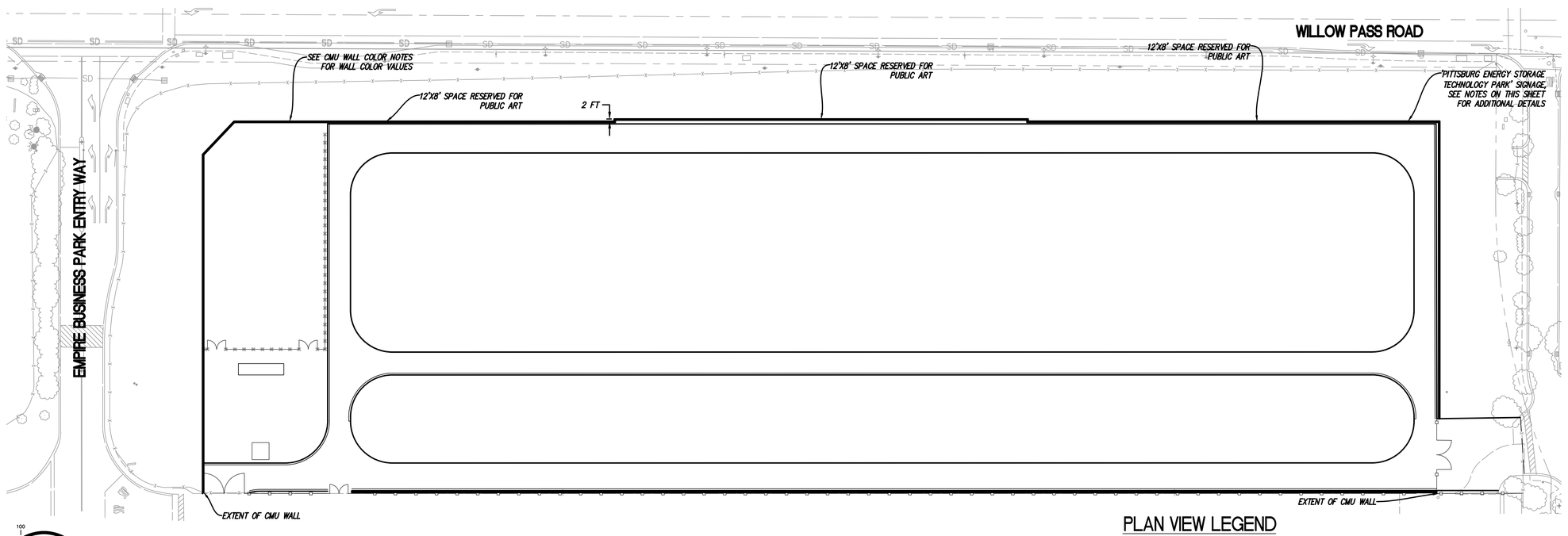


SECTION VIEW
N.T.S.



NOTE: CMU WALL ISOMETRIC VIEW SHOWS TYPICAL CONSTRUCTION, SEE STRUCTURAL DRAWINGS FOR DETAILS.

ISOMETRIC VIEW
N.T.S.



PLAN VIEW LEGEND

PROPOSED 8' CMU WALL

50 0 25 50 100
SCALE: 1"=50'

PLAN VIEW
1"=50'

PLOTTED: 5/7/2020 6:43:50 PM FILE NAME: Project Information.rvt

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STAMP

DATE MAY 12, 2020

CHAD J. BROWNING
R.C.E. NO. 68315, EXPIRES 9-30-21

REVISIONS

NO.	DATE:	REMARKS

CMU WALL DETAILS

DIABLO ENERGY STORAGE

DRAWN BY:	REVIEWED BY:
MF	NT
SCALE: AS INDICATED	DATE: 05/12/2020

SHEET NUMBER:
A5C
05/12/2020

NOT RELEASED FOR CONSTRUCTION

FLUENCE GRIDSTACK™

Grid-scale, industrial-strength energy storage system designed for the most demanding market applications with industry-leading reliability, scalability, and safety.



ABOUT GRIDSTACK

Gridstack's industrial-strength design is built for the most demanding applications including Flexible Peaking Capacity, Frequency Regulation, Renewable Integration, T&D Enhancement, and more. The system is highly configurable to meet your specific operational requirements and can be cost-effectively augmented over time to maximize asset value.

Gridstack is built using our 6th generation technology stack, which incorporates more than 12 years of design and deployment experience.

FEATURES

Easily Configurable: Gridstack's flexible architecture lets you configure key components from pre-qualified Tier 1 suppliers to best meet your deployment requirements. Enhance your system for specific market applications with a range of optimized dispatch algorithms.

Highly Scalable: Gridstack brings repeatability to large energy storage deployments. The scale-out design drives efficiencies in project permitting and delivery to reduce your implementation risk, while consistency across project locations simplifies training, operations, and maintenance.

Total System Safety: Gridstack comes equipped with comprehensive safety features throughout the integrated technology stack. The factory-built design brings consistent quality control to your storage system for the highest level of safety.

Fluence Cube is your building block for better energy storage

Fluence Cube's factory-built, modular form factor is the building block for safe, cost-effective systems configurable with the latest storage component technologies.

- Cost-effective systems with maximum quality control
- Fast procurement and contracting process
- Simple system design, engineering, and permitting
- Rapid delivery, construction, and commissioning
- Latest safety features and storage components



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Gridstack™ Specifications

Gridstack System

Rated AC Power (50°C)	2 MW – 500+ MW	**Availability**	>97.0%
Discharge Duration	1 – 6+ hours	**Altitude**	De-rated over 2,000 meters
Grid Frequency	50Hz and 60Hz	**Seismic Rating**	Design packages available for IEEE high seismic
Reactive Power	Four-quadrant control, 0.9 leading to 0.9 lagging at rated power (reactive capability available over full real power range)*	**Design Lifetime**	Up to 25 years with battery augmentation, usage dependent
Auxiliary Power Usage	<10 kW/MW typical (application dependent)	**System Response Time**	Max capacity change in <1 second

Fluence Cube

Cube Dimensions (H x W x D)
2,549 x 2,615 x 2,200 mm

Enclosure Rating
NEMA Type 3R

IP Rating
IP54

Cooling
Air or liquid cooled

Ambient Operating Temperature
-40°C to 55°C **

Battery Chemistry
Advanced lithium ion sealed cells

Safety Features
Emergency shutdown, fire detection and suppression system, gas detection (carbon monoxide), deflagration panels, lockable disconnect switch, open door sensor, gas spring damper, sliding door lock

Installation
Forkliftable from all 4 sides. Crane compatible and includes vertical stabilization.

Fluence OS

Fully-integrated operating system for comprehensive control, asset management, and system visibility.

Operation Modes
Automatic Resource Control, Manual Dispatch, Idle, Disconnect, Reset

System KPIs
Real and reactive power dispatch, state of charge, cell voltage and temperature, auxiliary system details, core and node status, fire system and E-Stop status, and more

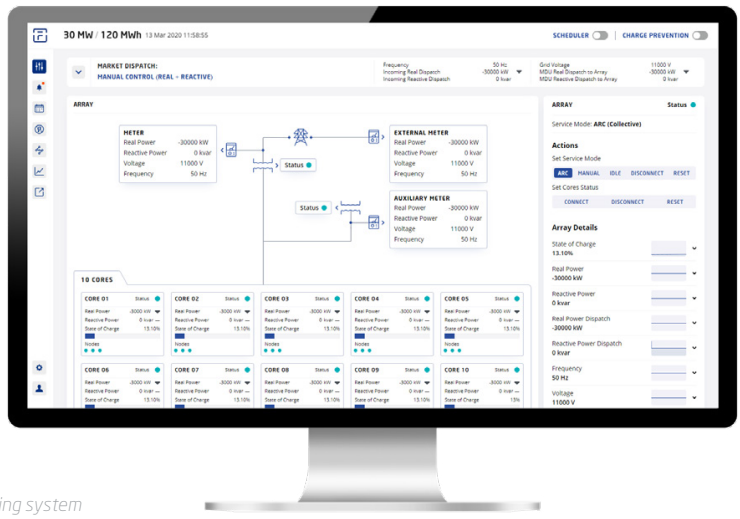
External Control Interface
SCADA and EMS integration available via common protocols including DNP3 and Native Modbus TCP/IP

Fluence IQ

Extensible digital intelligence improves system decision-making, asset performance, and operating costs with data-driven insights and dispatch algorithms.

Market Dispatch Algorithms
- Primary and secondary frequency control, peak shaving, power factor regulation, AGC, SOC management, and more
- Application stacking with priority designation

Performance Reporting
System availability, round trip efficiency, state of health, discharge cycles, and more



** Additional reactive capability upon request ** Can vary depending on cooling system*

About Fluence™

Fluence, a Siemens and AES company, is the leading global energy storage technology solutions and services company that combines the agility of a technology company with the expertise, vision, and financial backing of two industry powerhouses. Building on the pioneering work of AES Energy Storage and Siemens energy storage, Fluence's goal is to create a more sustainable future by transforming the way we power our world. Fluence offers proven energy storage technology solutions designed to address the diverse needs and challenges of customers in a rapidly transforming energy landscape, providing design, delivery, and integration in over 160 countries.

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Fluence Gridstack Cube
Fire Systems Features

April 2, 2020



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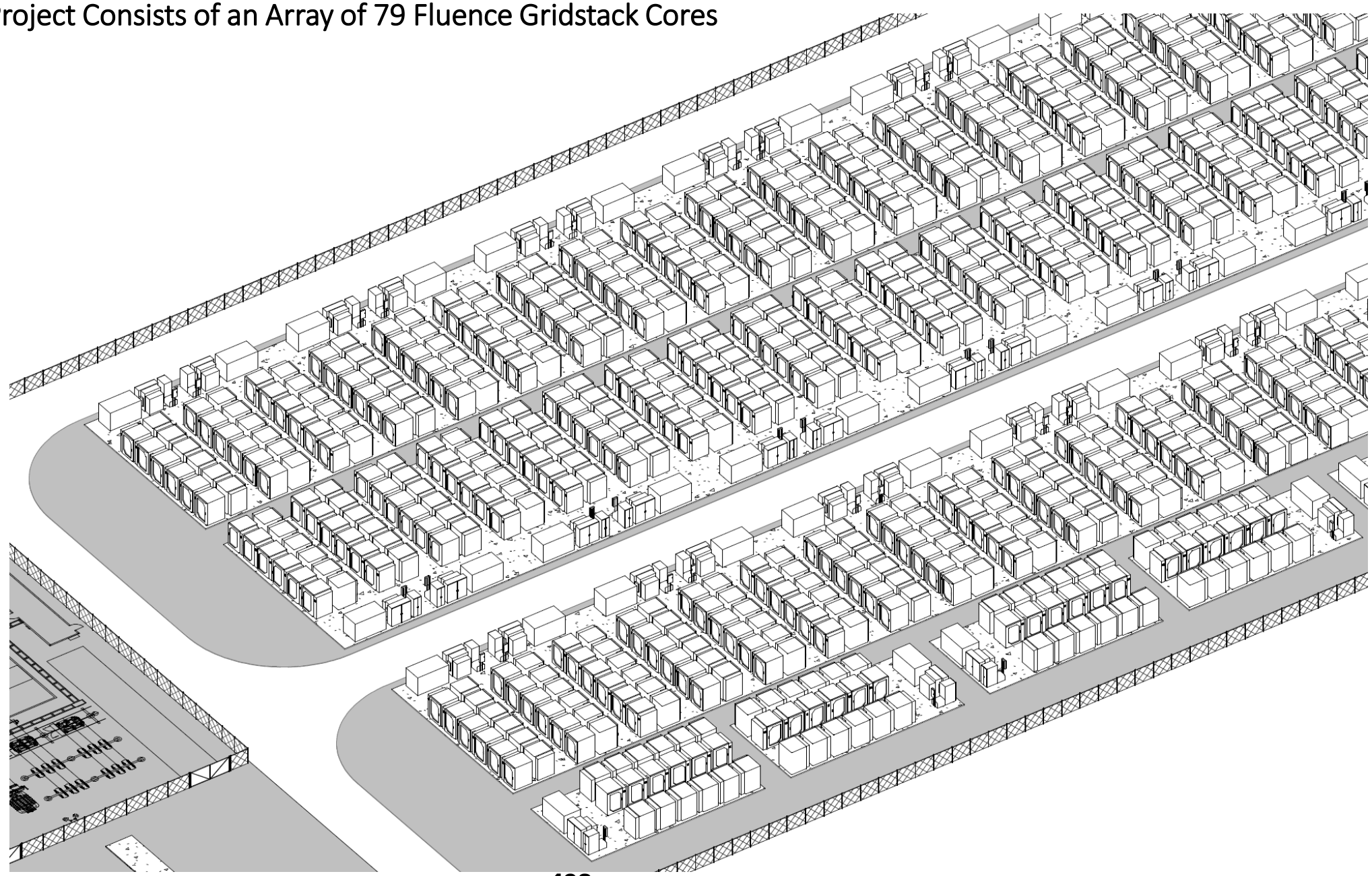
LS Power Diablo Project Consists of an Array of 79 Fluence Gridstack Cores



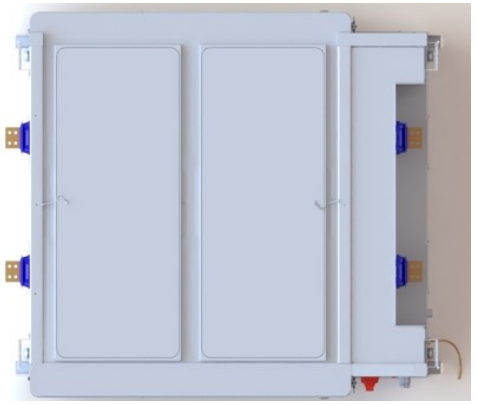
One of the 79 Fluence Gridstack Cores
Each Core consists of one transformer, inverter, and 18 Fluence Gridstack Cubes



One of the Gridstack Cubes









Gridstack Cube

Safety and Certifications



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Intelligent System Design

We design complete energy storage solutions that operate as a single integrated system with safety embedded in every layer of system controls and hardware.



MULTIPLE LAYERS OF REDUNDANCY

- OS layered on top of all subcomponents to keep the system safe and functional.
- Patented control algorithms enable projects to be monitored and controlled.



COMPREHENSIVE REAL-TIME MONITORING

- OS provides up-to-the-second visibility into the performance of the unit
- Continuously monitors, detects, isolates and alerts operators to potential anomalies.



HARDWARE-ENABLED SAFETY MEASURES

- Rigorous qualification and certification of all components.
- Subsystems protect themselves in event of a fault or failure in another subsystem.

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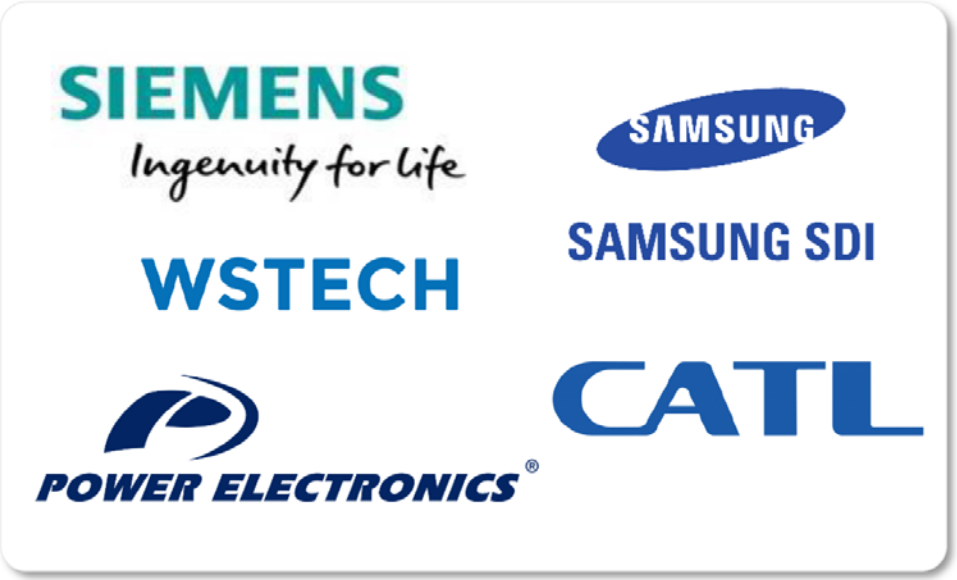
Supplier Qualification

Fluence partners with leading suppliers and conducts rigorous prequalification and testing to ensure the quality and safety of components

Vendors go through an extensive pre-qualification process, including battery tests, PCS at limits of intended use, and corner cases to see how the equipment performs and if they are operating safely. Fluence operates two labs which perform comprehensive component and system testing.

Qualification requirements include:

- ISO9001 & 14001
- Battery cells are certified to UL1642 and IEC62619
- Modules and low voltage switchgear certified to UL1973 and IEC61000-6
- Low-voltage directive compliance for the EU (LVD 2014/35/EU).
- Transportation of dangerous good compliance to UN 38.3



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Fully Integrated Safety from Cell to System

Fluence provides industry-leading safety at all levels of our energy storage systems

Battery Cell
- All cells are certified to UL1642 and IEC62619

Battery Module
- All modules are compliant with UL1973, IEC62619, and UN38.3

Battery Racks
- All racks are compliant with UL1973 and IEC62619
- BMS provides functional safety of electronic safety-related systems certified to IEC61508

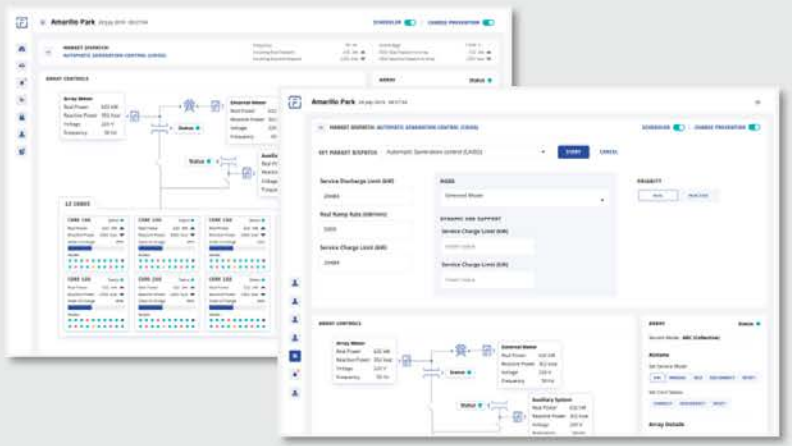
Battery Container – Fluence Cube
- Designed for UL9540 and 9540A
- Safety features include emergency shutdown, fire detection and suppression, gas detection (carbon monoxide), deflagration panels, lockable disconnect switch, and more

Battery System
- UL 1741 compliance
- Integrated ground fault protection and safety features for battery faults including overvoltage, overcurrent, and overtemperature

Fluence Controls

Fluence OS controller software communicates with the battery management system for an additional level of protection beyond OEM BMS logic.

Fluence OS continuously monitors, detects and alerts operators to potential anomalies in the system. Potential problems are isolated and flagged for immediate attention, including alerts to Fluence 24/7 monitoring staff.



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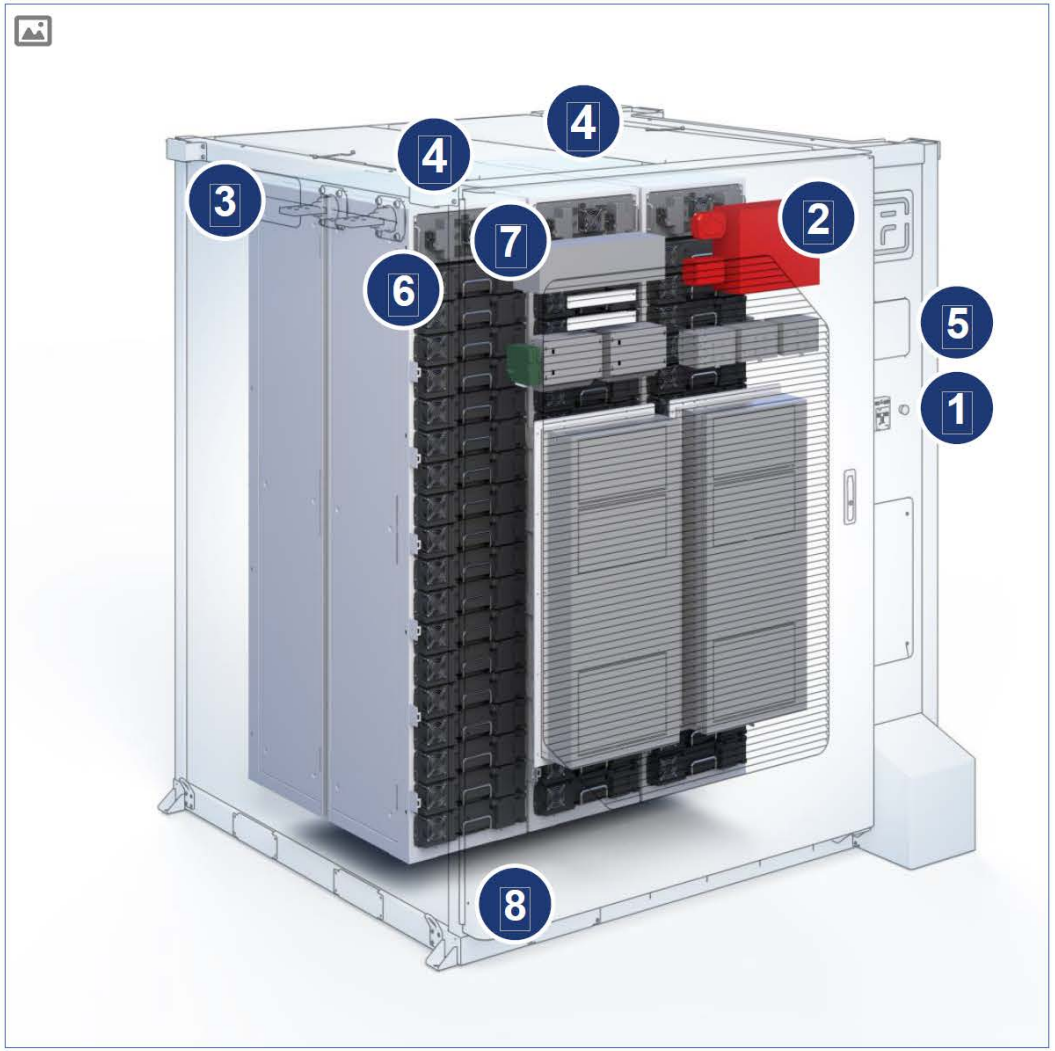
Fluence Cube – Safety Features



1. Emergency Shutdown (E-Stop)
2. Fire Detection and Suppression System
3. Gas Detection: Carbon Monoxide
4. Deflagration Panels
5. Lockable Disconnect Switch
6. Open Door Sensor
7. Gas Spring Damper
8. Sliding Door Lock

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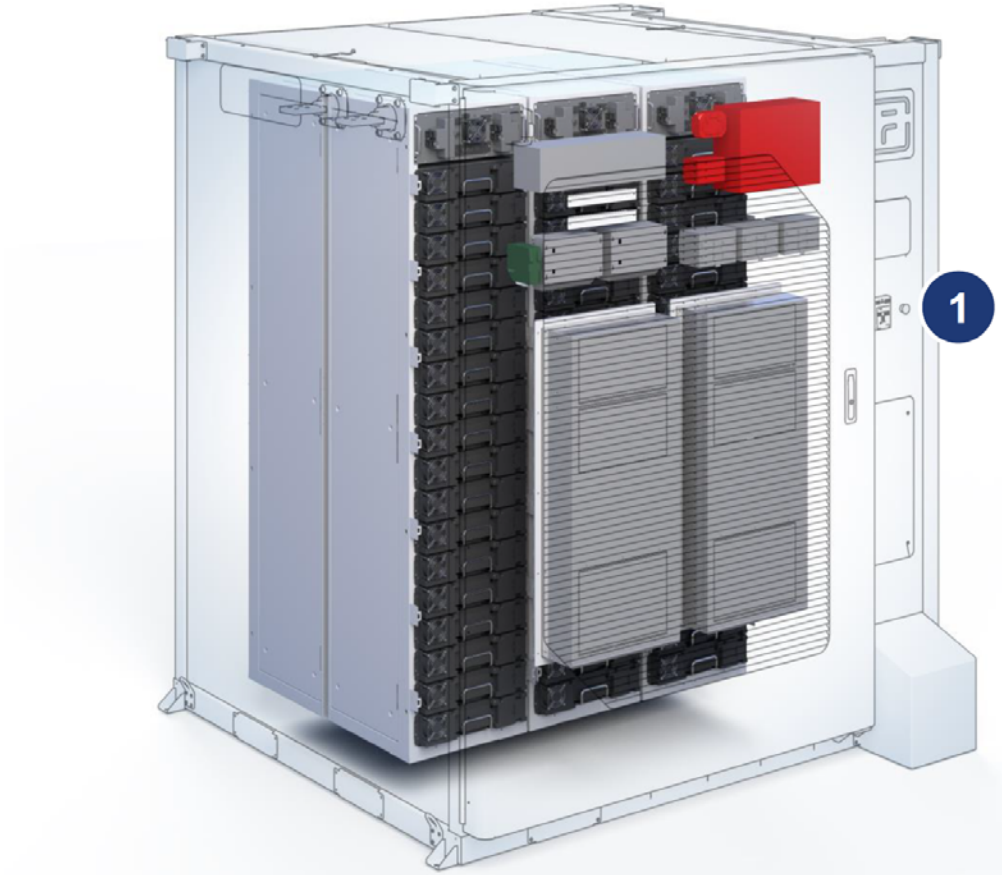
Fluence Cube – Safety Features

Emergency Shutdown (E-Stop)

The Emergency Shutdown (E-Stop) functionality can be triggered by the Cube hardware, Fluence OS, or an operator or first responder. A protective circuit allows us to deenergize an enclosure (battery and PCS) in the event of a fire, an operator input or a site-wide emergency.

Each Cube is capable of E-Stopping the Core. E-Stop triggers include:

- Fire Suppression System Panel
- Core Emergency Shutdown Signal
- Cube Emergency Shutdown Button
- One smoke detector alone
- Carbon monoxide sensor
- Leaf Controller signal (e.g. sudden change in the voltage of individual cell)



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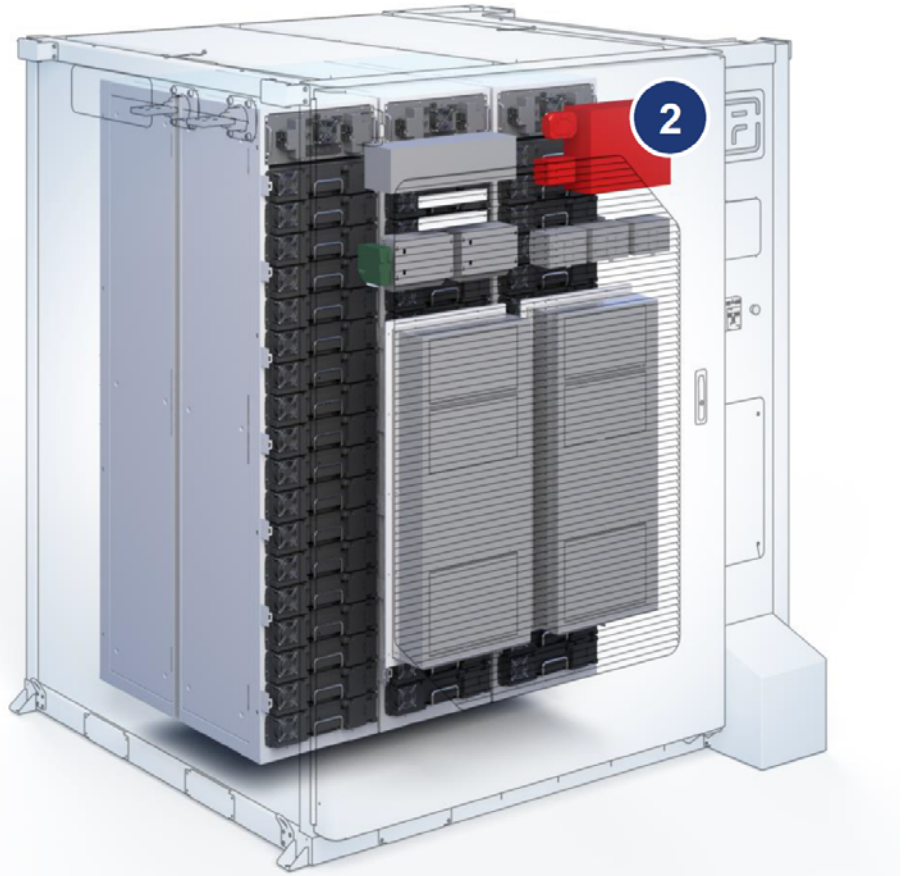
Fluence Cube – Safety Features

Fire Detection and Suppression System

Each battery container will have a pre-programmed three-zone fire suppression system. Three photoelectric smoke detectors will be used, each connected to one individual zone. Fire suppression will be triggered immediately upon having any two out of three smoke detectors triggered.

The Fire Detection and Suppression System includes:

- 3 x photoelectric smoke detectors
- 1 external horn + strobe light, outdoor mounted for easy identification
- 2 x electrically activated Aerosol canisters from FirePro FP 500S
- Sequential aerosol activator with key disconnector and test lamps for maintenance



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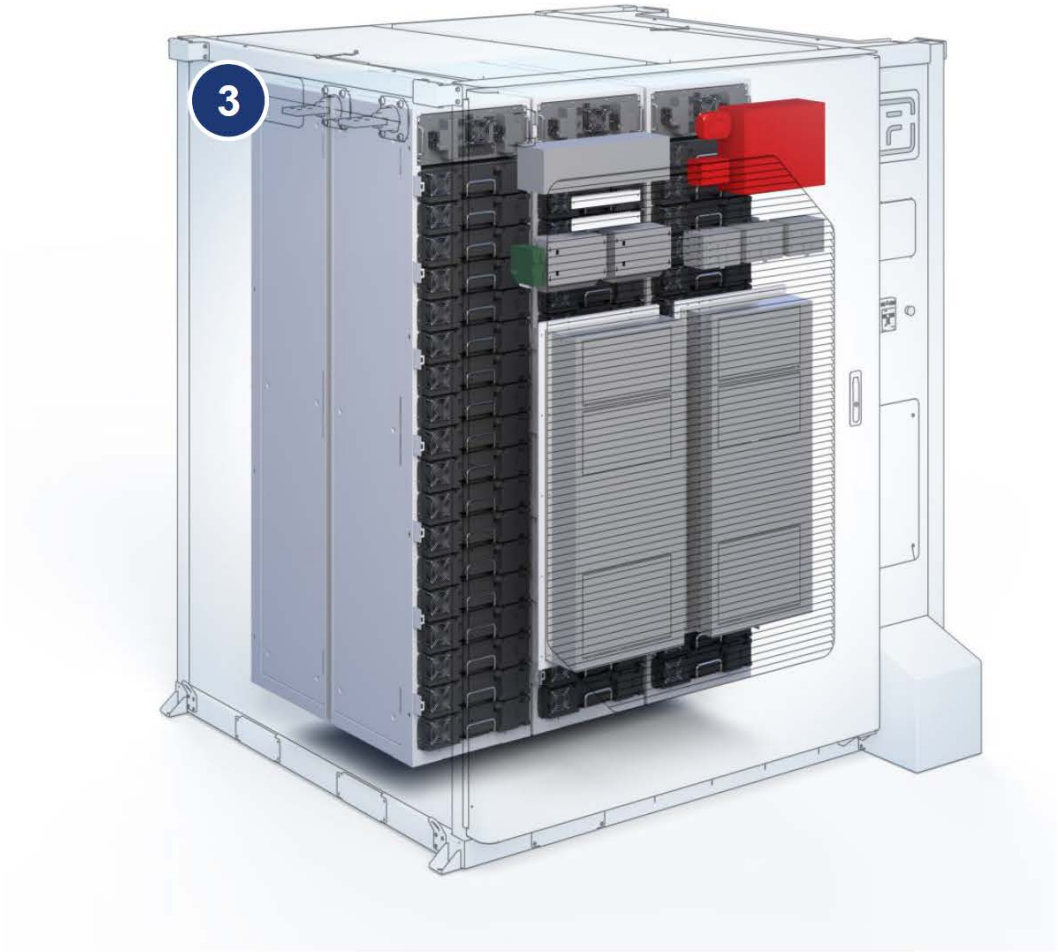
Fluence Cube – Safety Features

Gas Detection: Carbon Monoxide

Carbon Monoxide gas detection sensors are present in each Cube. If Carbon Monoxide is detected, this triggers an E-Stop of the system. Additional gas detection sensing options are available



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Calculator

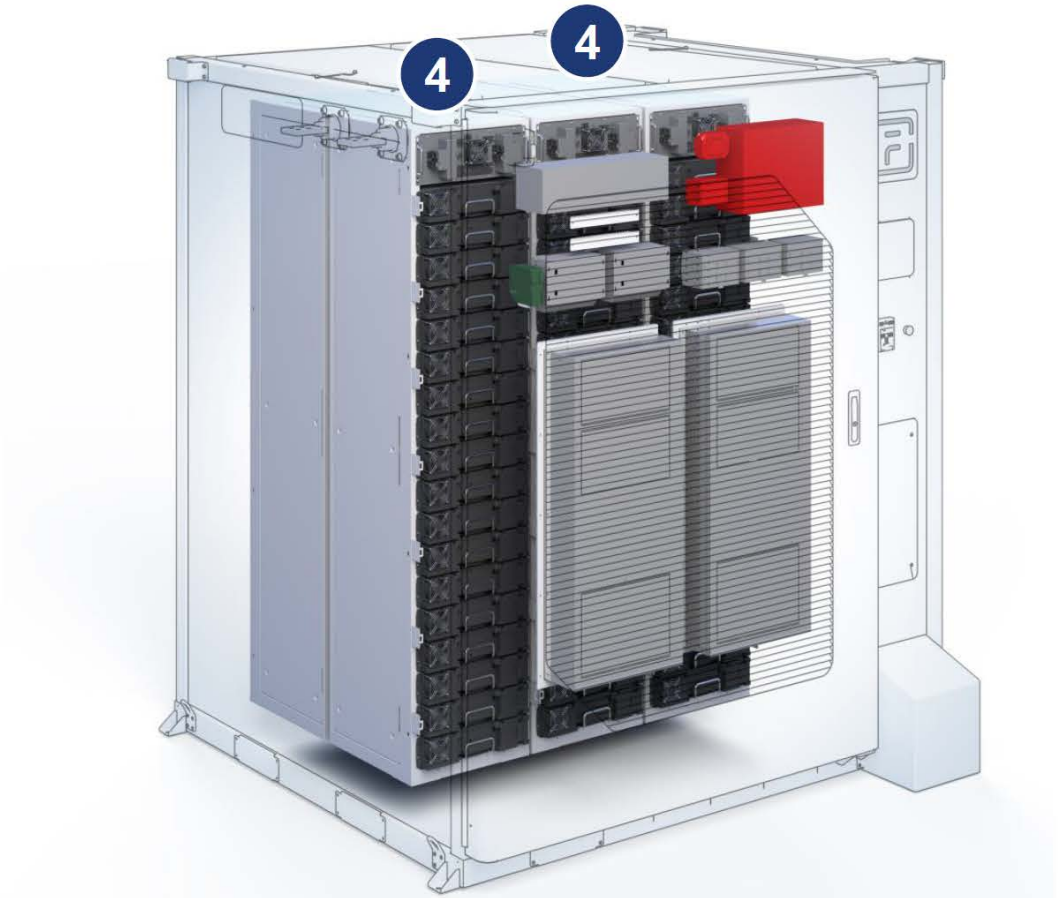
Fluence Cube – Safety Features

Deflagration Panels

The Cube contains two or more deflagration venting panels compliant with NFPA 68. This is present for the unlikely scenario in which all other systems sequentially fail:

- The BMS and the Fluence OS controls would have to fail to pick up the pre-event and/or
- The E-Stop would fail to prevent the system from going into thermal runway and
- The fire suppression system would fail to suppress the fire

In the case of a sequential failure of safety features, the deflagration panels would ultimately provide for a co ntrolled directional pressure release while maintaining the physical integrity of the enclosure. The pressure release serves to minimize structural and mechanical damage and the safety risk to operators or first responders.



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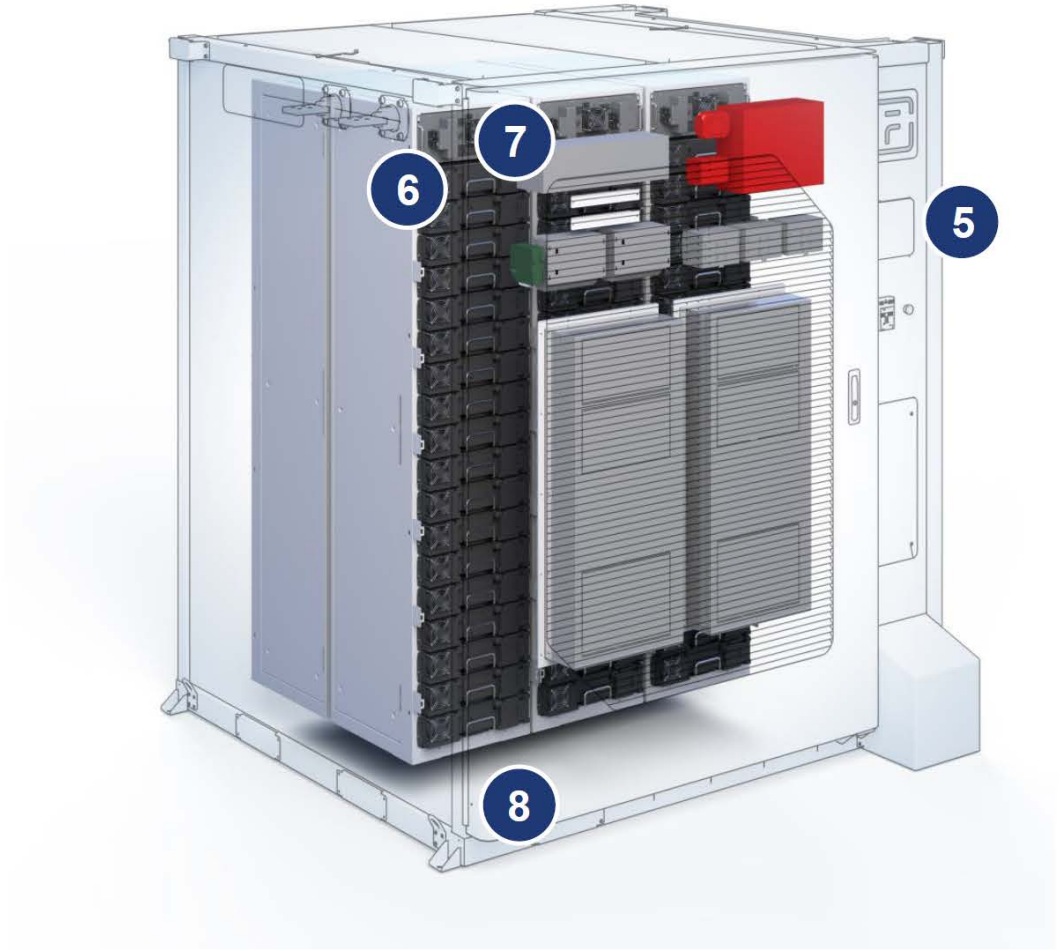
Fluence Cube – Safety Features

Door Safety Components

- Lockable Disconnect Switch
- Open Door Sensor
- Gas Spring Damper
- Sliding Door Lock



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	INPUT	RESPONSE								
		FACP TROUBLE	FACP ALARM	PANEL VISUAL SIGNAL	PANEL AUDIBLE SIGNAL	NOTIFICATION HORN	NOTIFICATION STROBE	AGENT RELEASE	SHUTDOWN HVAC	CUSTOMER PLC
ENCLOSURE	1ST – 1 SMOKE DETECTOR		■	■	■	■	■			■
	2ND – 2 OR 3 SMOKE DETECTORS		■	■	■	■	■	■	■	■
	MANUAL RELEASE STATION		■	■	■	■	■	■	■	■
PANEL	SYSTEM TROUBLE	■								
	SYSTEM ALARM		■	■	■	■	■	■	■	■

SEQUENCE OF OPERATION MATRIX

SCALE: NTS

BESS FIRE SYSTEM DESIGN METHODOLOGY

The energy storage center housing Li Ion battery racks has an internal volume of 9.6 cubic meters (339 cubic feet) thus comprising 1 Zone of detection and aerosol suppression. The Aerosol Agent Suppression System consist of 2 FNX-5005 Fire Extinguishing Generators with automatic and manual activation capability. Detection of particles of combustion shall be via 3 spot type photoelectric smoke detectors mounted on the ceiling. This will comprise Zone 1, Zone 2 and Zone 3. Additionally, each detector status shall also be available for a separate signal to the customer's PLC.

Fire suppression will be triggered upon having: Two out of three smoke detectors activated.
Activation of a single smoke detector shall place an alarm on the FACP and signal the PLC but not cause a suppression system release. This logic has the objective of both preventing an undue release of the agent while at the same time offering a protection mode against failure of one of the sensors.
As a further measure to prevent an unintended Agent release, a key activated maintenance switch is provided to physically disconnect the Extinguishing Generators during service, inspections and general maintenance. Test lamps are provided to verify proper wiring and functionality of the release circuits by having the Extinguishing Generators removed, and the test lamps in place.

A Manual release station is provided for activation of the Agent release.
An external Horn/Strobe is provided to annunciate any Alarm or Agent discharge.

Where provided, an FDC on the exterior of the enclosure shall serve an internal sprinkler system.

Provisions shall be made for central station communication from the fire alarm control panel via Dry Contact Relay.

SEQUENCE OF OPERATION

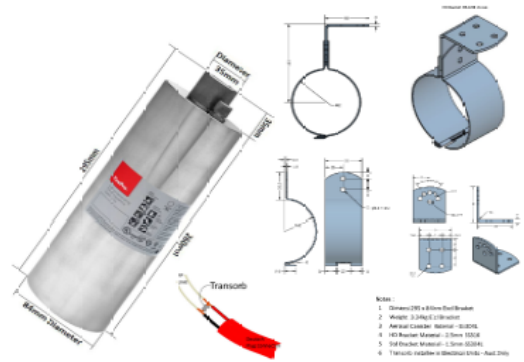
FIRE EVENT

1. Activation of any single detector, in any detection zone shall:
   - Cause a first-stage alarm.
   - Energize a lamp and sounder at the control panel and identify detector on the display of the control panel.
   - Activate Horn/Strobe.
   - Signal Site Control Logic to open all DC/AC Contacts.
   - Provide a signal by zone to Customer PLC.

2. Activation of a second detector shall or Manual Agent release station:
   - Cause a second-stage (pre-discharge) alarm to operate at the control panel.
   - Operate auxiliary contacts for HVAC shutdown.
   - Activate Horn/Strobe.
   - Signal Site Control Logic to open all DC/AC Contacts.
   - Energize control solenoid to activate and release the Aerosol agent into the protected area.
   - The HVAC system shall remain shut down and remain until reset by authorized personnel.
   - Provide an alarm signal to Customer PLC.

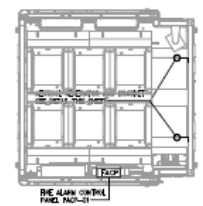
Panel to programmed and CAQC test at American Fire Technologies.

AEROSOL BILL OF MATERIALS					
ITEM No.	QTY.	PART No.	DESCRIPTION	MANUF.	COMMENTS
001	2	FNX-05005	AEROSOL GENERATOR, 500 GRAMS, FOR THERMAL AND /OR ELECTRICAL ACTIVATION	FIRE PRO	–
002	2	FP0200	AEROSOL HD BRACKET	FIRE PRO	–



AEROSOL GENERATOR AND BRACKET DETAIL

SCALE: NTS



FIRE PROTECTION PLAN

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

SEQUENCE OF OPERATION MATRIX

PREPARED FOR:
FLUENCE ENERGY LLC
4200 WILSON BLVD
ARLINGTON, VA 22203

PROJECT:
ESS CONTAINER
FIRE PROTECTION SYSTEM

TITLE:
FIRE PROTECTION PLAN, DESIGN METHODOLOGY AND SEQUENCE OF OPERATION

NUMBER	REVISION	DATE
3	PER ENGINEER REVIEW	08/07/19
2	PER SAFETY COMMITTEE REVIEW COMMENTS	08/01/19
1	PER REVIEW COMMENTS	07/15/19
0	ORIGINAL SUBMITTAL	07/10/19

PROJECT NO. 20955SIGN
CONTRACT NO. PO-LLC1617
DRAWN BY AJS
CHECKED BY TSD
DESIGN BY CAM
SALES CAM

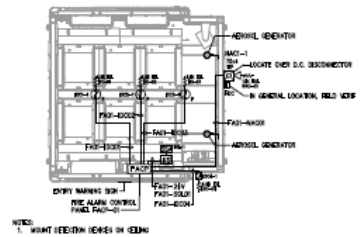
AMERICAN FIRE TECHNOLOGIES
FIRE AND LIFE SAFETY SPECIALIST
3100 Capital Drive - Wilmington, North Carolina 28405 - (910) 799-0191

DATE: 7/10/19 | SCALE: AS NOTED | CAD FILE No.: 27558OFS-2 | DWG. NO.: FS-2 | REV.: 3

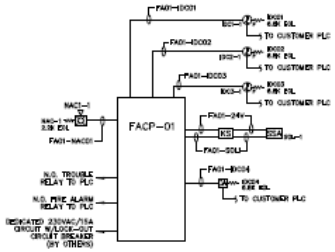
TYPE OF CIRCUIT CABLE SCHEDULE				
STANDARD FIRE ALARM CABLE				
TYPE	DESCRIPTION	MFG	PART NO.	SIZE
IDC	INITIATING CIRCUIT	WEST PENN *	1000	18/2
NAC	NOTIFICATION CIRCUIT	WEST PENN *	1000	14/2
SOL	SOLENOID, RELEASING CIRCUIT	WEST PENN *	1000	14/2
24V	24V POWER	WEST PENN *	1000	14/2

* OR ACCEPTED EQUAL

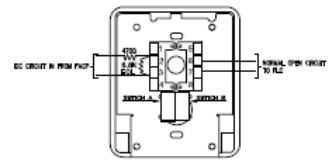
ESS CONTAINER LEGEND AND BOM					
SYMBOL	QTY.	DESCRIPTION	MFG.	PART NO.	COMMENTS
FACP	1	FIRE ALARM CONTROL PANEL	NOTIFIER	NFW10-11	ELITE XT, 230V, CONVENTIONAL RELEASING PANEL, 2 ZONES, RED
	3	SMOKE DETECTOR	SYSTEM SENSOR	2W1B-B	PHOTOELECTRIC WITH RELAY
	1	MANUAL RELEASING STATION	NOTIFIER	NFG-10-10	–
	1	HORN/STROBE, WEATHERPROOF	NOTIFIER	P2RK	–
KS	1	KEY SWITCH	NOTIFIER	ECVR-DS	–
SOA	1	SOLENOID, SEQUENTIAL ACTIVATOR, 24VDC	NOTIFIER	ECVR-SQA	–
–	1	ANCILLARY CARD	NOTIFIER	NFW50	–
–	1	ENTRY WARNING SIGN	AFT	–	–
-\/\/\-	–	END OF LINE (EOL) ALARM TRIGGER (AT)	–	–	AS NEEDED
–	2	BATTERY, 12V, 7AH	ACE	BA-1270	–
–	1	SIMULATION TEST LAMP	FENZIES	10332	FOR COMMISSIONING AND SYSTEM MAINTENANCE
–	1	SPRINKLER HEAD, OPEN DIRECTIONAL SPRAY, HEXAM VELOCITY, 1/2" NPT	TYCO	69-332-1-180	–
FDC	1	FIRE DEPARTMENT CONNECTION, SINGLE INLET	POTTER ROEMER	5011-A	–



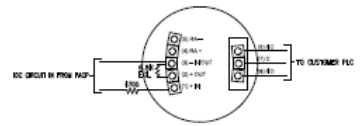
FIRE ALARM PLAN



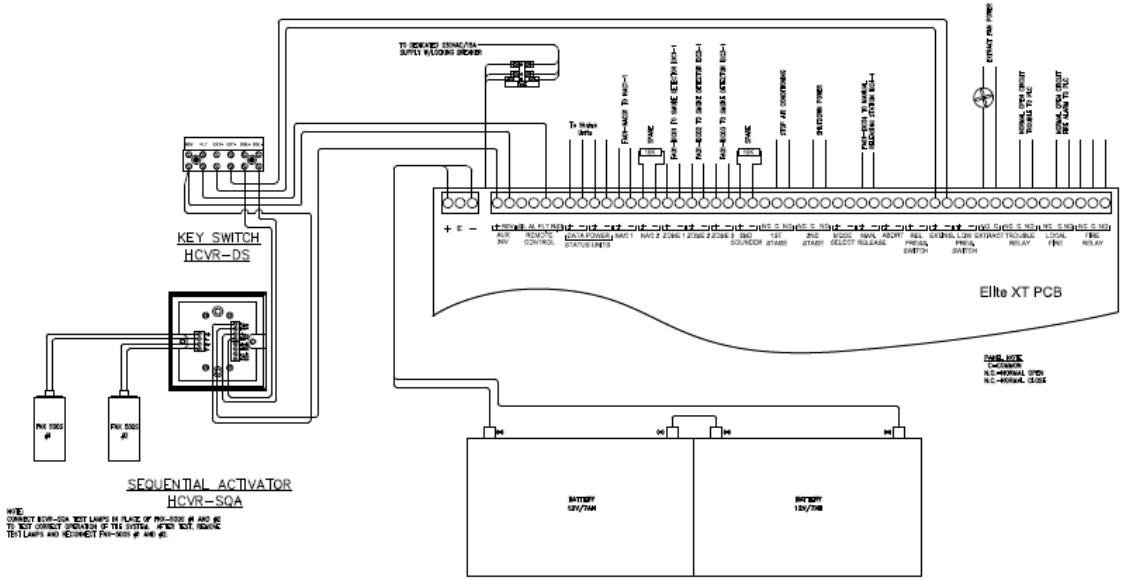
FIRE ALARM RISER DIAGRAM



TYPICAL MANUAL RELEASING STATION DETAIL

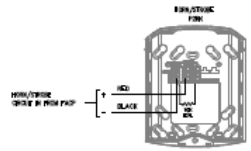


TYPICAL PHOTOELECTRIC SMOKE DETECTOR

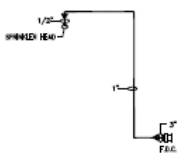


SEQUENTIAL ACTIVATOR
HCVR-SQA

FIRE ALARM CONTROL PANEL FACP01 WIRING DETAIL



TYPICAL P2RK HORN/STROBE DETAIL



SPRINKLER RISER

NOTE:
A SINGLE FIRST RESPONDER CONNECTION SYSTEM ALLOWING A PUMPER FIRE TRUCK TO CONNECT TO AND EXTINGUISH A FULLY INVOLVED CONTAINER FIRE (FDC) SHALL BE INSTALLED.
THE MAIN OPTION IS THE LAST RESORT TO A UNIT THAT IS IN FULL THERMAL RUNAWAY AND THE OBJECTIVE IS TO FLOOD THE CONTAINER TO PROTECT ADJACENT CONTAINER OR STRUCTURES.
THE SPRINKLER HEAD SHOULD BE INSTALLED AT THE TOP OF THE WALL AND POSITIONED FOR THE BEST COVERAGE OF THE RACK SYSTEMS. A 0.3 DENSITY WITH 130 FT² WILL PROVIDE 110.5 GPM †
500 FIRE HOSE (DIAMOND, 45° SLIDE, 180 DEGREE SPRAY PATTERN SPRINKLER HEADS ARE RECOMMENDED)

PREPARED FOR:	FLUENCE ENERGY LLC 4200 WILSON BLVD ARLINGTON, VA 22203		
PROJECT:	ESS CONTAINER FIRE PROTECTION SYSTEM		
TITLE:	FIRE ALARM PLAN, RISER DIAGRAM PANEL AND DEVICE WIRING DETAILS		
AMERICAN FIRE TECHNOLOGIES FIRE AND LIFE SAFETY SPECIALIST 3100 Capital Drive - Wilmington, North Carolina 28405 - (910) 799-4161 www.amerifiretech.com	DATE: 7/10/19	SCALE: AS NOTED	CAD FILE No.: 2895590FS-1	DWG. NO.: FS-1	REV.: 4

NUMBER	REVISION	DATE	BY
4	PER ENGINEER REVIEW	08/07/19	CAM
3	PER SAFETY COMMITTEE REVIEW COMMENTS	08/01/19	CAM
2	PER QAQC REVIEW	07/22/19	JLS
1	PER REVIEW COMMENTS	07/18/19	TBD
0	ORIGINAL SUBMITTAL	07/10/19	CAM

PROMOT NO. 2895590N
CONTRACT NO. FO-LLC1617
DRAWN BY JLS
CHECKED BY TBD
DESIGN BY CAM
SALES CAM

Attachment 5
Property Development Regulations Table

Diablo Energy Storage, 2020 Amendment, AP-20-1507 (DR)

Development Regulations: *Overlay District, Ordinance No.04-1214*	**Requirement**	**Previously Approved Project (9/17/18)**	**Proposed Project**
Max. Height	40 ft.	26.6 ft includes 8.6 ft parapet	10.3 ft
Max. FAR	1.0	41%	Not applicable *(no buildings proposed)*
Max. Lot Coverage	60%	41%	41%
Min. Lot Area	15,000 sq. ft.	454,766 sq ft Net area	454,766 sq ft
Min. Lot Width	80 ft.	1,250 ft	1,250 sq ft
Min./Avg. Front Yard Setback	20 ft. min.; 25 ft. or more average	70 ft	88 ft
Min. Side Setback	10 ft.	50 ft	50 ft
Min. Side Setback (facing street)	25 ft.	N/A	100 ft
Min. Rear Setback	10 ft.	35 ft	35 ft
Min. Site Landscaping	10%	17%	19%
Min. Parking • Major Utility	None	None	None
Min. Bike Parking • 0 racks/lockers per 0-4 required parking spaces	None	None	None

Attachment 6
Applicable Development Review Design Guidelines
Diablo Energy Storage, 2020 Amendment, AP-20-1507 (DR)

Design Review Guidelines Section IV. Commercial/Industrial	Meets Guideline?
IV.a: Parking areas should be screened from view from any public right-of-way. Parking areas should be broken up to eliminate vast areas of parking especially along street frontages.	**Yes.** No parking areas would be visible from Willow Pass Road to the north of the site.
IV.b: Provisions should be made for permanent shopping cart corrals in retail shopping centers.	**Not applicable.** The project does not involve a retail shopping center.
IV.c: Existing trees on site should be incorporated into the project site design, unless waived by the City Planner or Planning Commission.	**Yes.** Mature trees on the eastern edge of the property would be kept in place.
IV.d: Developer should elect, at least, one of the schemes provided in Appendix #1 for screening all utility box transformers, backflow preventers, meters, and junction boxes.	**Conditionally.** A standard condition has been added that would require compliance with this guideline.
IV.e: Projects with many buildings (greater than three) should have a variety of building sizes and masses.	**Not Applicable.** There are no buildings proposed.
IV.f: Continuous horizontal roof lines should be broken up whenever possible. An expanse should not exceed 50 feet in length unless architecture or size dictate a greater expanse.	**Not Applicable.** There are no buildings on the site.
IV.g: Building entries should be designed as a focal point. They should be designed to set the theme or be the primary feature of the building or commercial center.	**Not Applicable.**
IV.h: Building elevations visible from public right-of-ways should be addressed in design review and treated appropriately.	**Not Applicable.**
IV.i: A free-standing structure within an existing commercial or industrial center should be architecturally compatible with the	**Not Applicable.**

center, including but not limited to materials, colors, and architectural elements.	
IV.j: All roof mounted equipment should be screened completely from view from all public right-of-ways. A site-line study may be necessary to determine appropriate screening method.	**Not Applicable.**
IV.k: All structures including, but not limited to, 'tilt-up' type structures, should have structural reliefs and articulated entries.	**Not Applicable.**
IV.l: Exterior fire escapes, stairs and other appurtenances should be designed or treated as integral parts of the building façade.	**Not Applicable.** There are no exterior stairs or other appurtenances.
IV.m: Downspouts should be designed into the façade of the building the color and materials palette unless architecturally treated.	**Not Applicable.**
IV.n: Add murals, lattice or some other space-frame type treatment to blank walls visible from public view.	**Yes.** The applicant proposes three spaces on the exterior wall that would contain murals.
IV.o: Prototype or 'theme' architecture is discouraged.	**Not Applicable.**
IV.p: New or remodeled buildings should be designed to be compatible in design, color and materials with adjacent development.	**Not Applicable**.
IV.q: The street-oriented elevations shall be designed so as not to present the appearance of a rear elevation.	**Not Applicable.**
IV.r: Trash enclosures should include area for collection of recyclables (i.e. space for two 90-gallon containers minimum).	**Not applicable.** There is no onsite waste storage required. When maintenance is done, waste would be removed by the maintenance crew at that time.
Green Building Design Guidelines Section VI.D Commercial/Industrial	
VI.D.1: Roofs should be designed to integrate renewable energy systems and provide a cool urban environment.	**Not Applicable.**

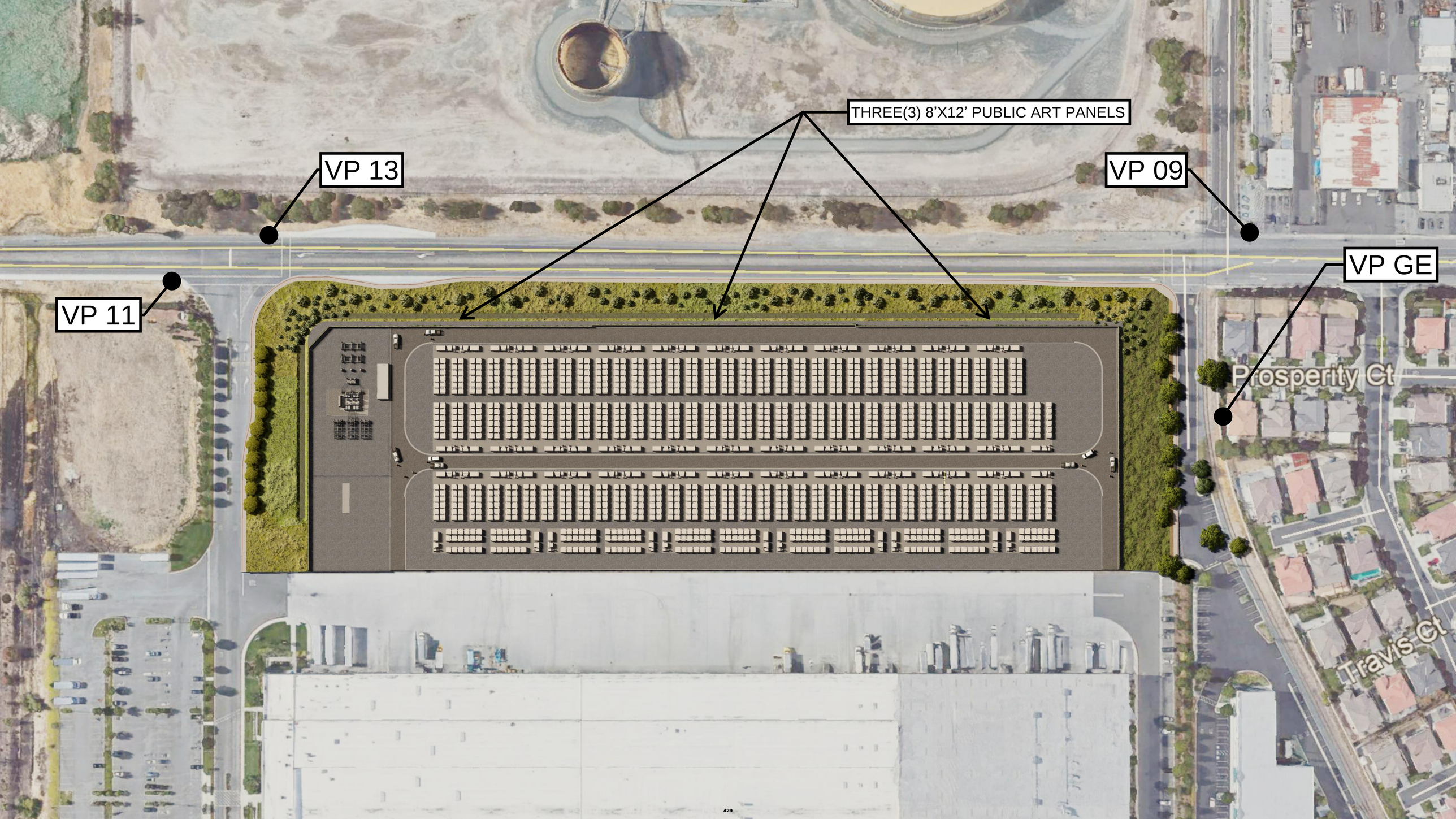
VI.D.2: Urban heat island impacts should be minimized.	**Not applicable.** No new parking areas are required/proposed with this project.
VI.D.3: Hardscapes should be constructed with permeable surfaces. Impermeable surfaces may be used if they direct all runoff toward an appropriate permanent infiltration feature.	**Yes.** The project is designed consistent with low impact development standards.
VI.D.4: Design choices should incorporate or prepare for electric vehicle charging or used vegetable oil fueling infrastructure.	**Not Applicable.** This facility would be unmanned and therefore no parking is provided for employees.
VI.D.5: Fuel cell technology should be considered where other renewables are infeasible.	**Not Applicable.** This is a renewable energy project designed to facilitate the implementation of renewable energy systems.
VI.D.6: Reclaimed water should be used for as much non-potable water uses as feasible and practical.	**Not Applicable .** Recycled water is not available at this location at this time.
VI.D.7: Large commercial and institutional facilities that are anticipated to employ more than 50 employees should consider providing on-site shops and services for those employees.	**Not Applicable.** There would be no employees at this facility.
VI.D.8: Street side building faces should encourage walking.	**Not Applicable.** The landscaping along the property frontage includes a sidewalk (outside of the fenced area) around three sides of the property.
VI.D.9: Secure bicycle parking facilities should be provided for at least 10 percent of expected peak hour trips.	**Not Applicable.** No parking spaces are required/provided since there would be no employees.

Attachment 7
Surrounding Uses and Existing Conditions



Existing view from Willow Pass Road facing southwest.




THREE(3) 8’X12’ PUBLIC ART PANELS
VP 13
VP 09
VP GE
VP 11
Prosperity Ct
Travis Ct

VP09 / ORIGINAL PHOTO



VP09 / WALL OPTION



VP09 / WALL OPTION




VP11 / ORIGINAL PHOTO

VP11 / WALL OPTION



VP11 / WALL OPTION




VP13 / ORIGINAL PHOTO

VP13 / WALL OPTION



VP13 / WALL OPTION



VPGE / CUBES - WALL OPTION



Contra Costa County Fire Protection District

May 19, 2020

Joan Lamphier
City of Pittsburg
Community Development Department
65 Civic Ave.
Pittsburg, CA 94565

Subject: ESS Diablo Energy Storage
701 Willow Pass Rd.
Project # AP-17-1270-Second submittal
CCCFPD Project No.: P-2020-01477 (Previously 2018-03964)

Dear Ms. Lamphier,

We have reviewed the development plan application to establish an outdoor energy storage and distribution facility at the subject location. The following is required for Fire District approval in accordance with the 2019 California Fire Code (CFC), the 2019 California Building Code (CBC), the 2019 California Residential Code (CRC), NFPA 855, and Local and County Ordinances and adopted standards:

1. Provide a complete Hazard Mitigation Analysis as required by NFPA 855 for review and approval by the District.

2. Access as shown does not comply with Fire District requirements.

   Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC

3. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

   Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have ***NO PARKING – FIRE LANE*** signs posted, allowing for parking on one side only or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC

4. Access gates for Fire District apparatus shall be a minimum of 20-feet wide. Access gates shall slide horizontally or swing inward and shall be located a minimum of 30 feet from the street. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key-operated switch. (D103.5) CFC.

5. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1500 GPM. Required flow must be delivered from not more than 1 hydrants flowing simultaneously for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC

6. Energy storage system shall comply with NFPA 855 and section 1206 of the CFC.

7. Provide expert technical assistance in accordance with 104.7.2 of the CFC.

8. The developer shall provide hydrants of the East Bay type spaced in accordance with Chapter 5 and Appendix C of the California Fire Code.

9. The developer shall submit a minimum of two (2) copies of full size, scaled site improvement plans indicating all existing or proposed hydrant locations, fire apparatus access, and a striping and signage plan for review and approval prior to obtaining a building permit. This is a separate submittal to the Fire District to be approved prior to construction plan submittal. ***Final placement of hydrants shall be determined by this office.***

10. ***Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** (501.4) CFC

    Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

11. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC

12. Flammable or combustible liquid storage tanks shall ***not*** be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC

13. The owner shall cut down and remove all weeds, grass, vines, or other growth that is capable of being ignited and endangering property. (304.1.2) CFC

14. Provide safety during construction. (Ch.33) CFC

15. The developer shall submit a minimum of two (2) complete sets of plans and specifications of the subject project, including plans for any of the following required permits, to the Fire District for review and approval ***prior to*** construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

    - Private underground fire service water mains
    - Building construction plans for any buildings on site
    - Special suppression systems and fire and detection systems
    - Battery systems

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

Todd Schiess
Fire Inspector I

cc: Kevin Johnson
5000 Hopyard Rd. Ste. # 480
Pleasanton, CA 94588

File: 701 WILLOW PASS RD-DIABLO ENERGY STORAGE-PLN-P-2020-01477

Planning Application

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

TYPE OF APPLICATION REQUESTED:

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

STAFF USE ONLY
Application Number:_____ Date Filed:_____

PROJECT INFORMATION:

Project Name (Business/Development): Diablo Energy Storage, LLC
Address/Location of Project: 701 Willow Pass Road, Pittsburg, CA 94565
Assessor's Parcel No(s): 085-280-010
Mapping Address (Latitude/Longitude):
Existing General Plan / Zoning Designations: IP-O
Proposed General Plan / Zoning Designations: IP-O
Existing Use: Vacant
Proposed Use: Battery Energy Storage
Size of Existing Structure(s): None
Size of Proposed Additions / New Structure(s): 192,000 sq ft
Amount of New Impervious Surfaces (s.f. or acres)[1]: 4.42 ac
Property Size (s.f. or acres): 11.85 ac No. of Existing Lots: 3 Proposed: 3
Days/Hours of Operation: 24x7x365
No. of Employees, Existing: 0 Proposed: 0
No. of On-Site Parking Stalls, Existing: 0 Proposed: 0
HCP Land Cover Type: _____ Cortese List: Yes ☐ No ☐

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

P.2020-01477 PLN

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

Design Review of batteries in containers instead of buildings previously approved.

APPLICANT INFORMATION:

Applicant Name: Diablo Energy Storage, LLC Primary Contact: Kevin R. Johnson
E-Mail: kjohnson@lspower.com Phone: (925) 201-5240
Mailing Address: 5000 Hopyard Road, Suite 480, Pleasanton, CA 94588

Property Owner(s): Empire Business Park, LLC
E-Mail: marc@lavertychacon.com Phone: (707) 255-6540
Mailing Address: 1500 3rd Street, Suite C, Napa CA 94559

Notarized Signature of Agent and/or Property Owner:

Agent (Attach Notary): _____ Date: 3/6/20
Property owner/manager (attach notary): _____ Date: _____

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

SUBMITTAL REQUIRMENTS: *(to be completed by the applicant)*

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

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

STAFF USE ONLY
TOTAL FEES PAID*: _____ Date Rec'd: _____ By: _____

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT CIVIL CODE § 1189

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

State of California
County of Alameda

On March 5, 2020 (Date) before me, Rafaela Carrillo Cisneros "Notary Public" (Here Insert Name and Title of the Officer)

personally appeared Kevin R. Johnson (Name(s) of Signer(s))

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

RAFAELA CARRILLO CISNEROS
Notary Public – California
Alameda County
Commission # 2210104
My Comm. Expires Aug 23, 2021

Place Notary Seal and/or Stamp Above

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

WITNESS my hand and official seal.

Signature Rafaela Carrillo Cisneros
Signature of Notary Public

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian of Conservator
☐ Other: _____
Signer is Representing: _____

Signer's Name: _____
☐ Corporate Officer – Title(s): _____
☐ Partner – ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian of Conservator
☐ Other: _____
Signer is Representing: _____

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CARLSBAD
FRESNO
IRVINE
LOS ANGELES
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROSEVILLE
SAN LUIS OBISPO

March 19, 2020

Ms. Shruti Ramaker
Stantec
111 East Victoria Street
Santa Barbara, CA 943101

Subject: Site Re-Design Noise Assessment for the Fluence Energy LS Power Diablo Project in Pittsburg, California

Dear Ms. Ramaker:

LSA has prepared this letter report to provide an assessment from the re-design of the Fluence Energy LS Power Diablo Project (New Project) which was previously known as the Diablo Energy Storage Project (Previous Project). In January 2020, LSA prepared the latest version of the *Noise and Vibration Impact Analysis* (LSA 2020) (Previous Analysis) for the Previous Project which assessed the temporary construction related and long-term operational noise impacts to surrounding uses. For the purposes of this assessment, only the long-term operations noise impacts will be identified and compared to both the City of Pittsburg noise standards and the results of the Previous Analysis.

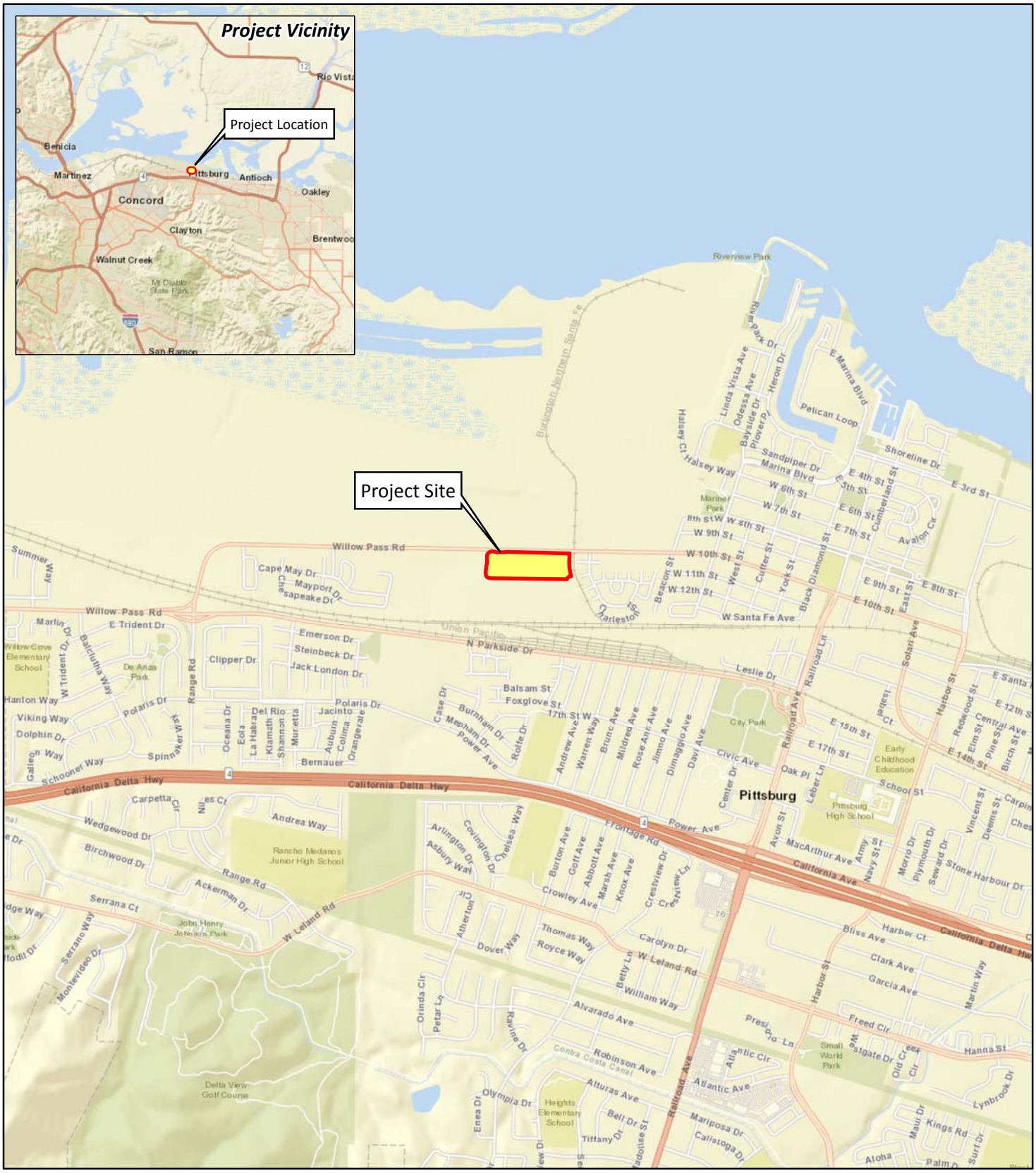
PROJECT LOCATION AND SURROUNDING USES

The project site is located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The Parcel is designated Business Commercial (BC) in the City of Pittsburg General Plan[1] and is zoned Industrial Park-Limited Overlay (IP-O). The proposed use would require a zoning text amendment to amend the IPO (Industrial Park with a Limited Overlay, Ord. No. 07-1284) District, or the "Empire Business Park Overlay District," such that a "major utility" would be permitted with a use permit. The proposed project site is currently vacant and undeveloped. Figure 1 indicates the project location, and Figure 2 is the project site plan.

The following describes the adjacent land uses:

- **North:** Willow Pass Road, existing tank farm, undeveloped land
- **East:** Existing single-family homes
- **South:** Existing industrial uses, existing rail line
- **West:** Vacant land with multiple over-head high-voltage power lines, and single-family homes farther west

[1] City of Pittsburg, 2001. *General Plan Pittsburg 2020: A Vision for the 21st Century.* November.



LSA

FIGURE 1

N

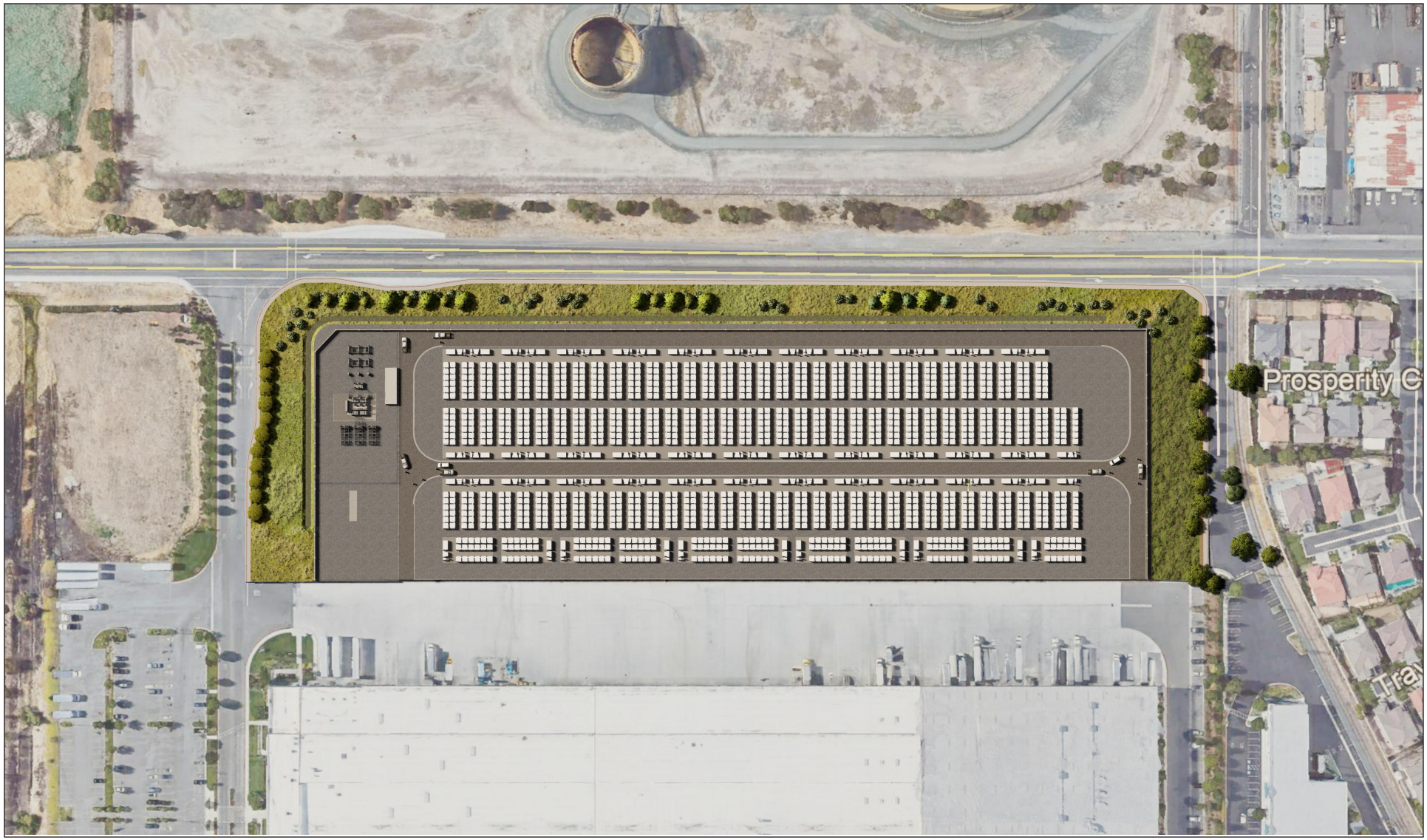
0 1000 2000
FEET

Fluence Energy LS Power Diablo Project
Pittsburg, Contra Costa County, California

Location Map

SOURCE: ESRI World Streetmap.

P:\SNS2001\Figure 1_Location Map.pdf (3/19/2020)



LSA

FIGURE 2

NOT TO SCALE

N

Fluence Energy LS Power Diablo Project
Pittsburg, Contra Costa County, California
Site Plan

SOURCE: STANTEC, 3/19/20.

P:\SNS2001\Figure 2.ai (3/19/2020)

PROJECT DESCRIPTION

The project proposes to a install a substation and supporting 79 cores on an approximately 12 acre currently vacant site as shown in Figure 2.

The equipment including inverters, transformers, and a small onsite electric substation, would be connected via a new electric tie-line to the existing Pacific Gas & Electric Company (PG&E) Pittsburg Substation located approximately 0.6 mile north of the Site. The facility is designed to be unoccupied and is capable of full remote operation.

The facility would not generate electricity. Rather, it would provide a service by receiving energy (charging) from the point of interconnection (POI) with the PG&E electric transmission system, storing energy, and then later delivering energy (discharging) back to the POI.

CHARACTERISTICS OF SOUND

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep.

To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect the ability to hear. Pitch is the number of complete vibrations, or cycles per second, of a wave resulting in the tone's range from high to low. Loudness is the strength of a sound that describes a noisy or quiet environment and is measured by the amplitude of the sound wave. Loudness is determined by the intensity of the sound waves combined with the reception characteristics of the human ear. Sound intensity refers to how hard the sound wave strikes an object, which in turn produces the sound's effect. This characteristic of sound can be precisely measured with instruments. The analysis of a project defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound

Sound intensity is measured through the A-weighted scale to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies. Unlike linear units (e.g., inches or pounds) decibels are measured on a logarithmic scale representing points on a sharply rising curve.

For example, 10 decibels (dB) is 10 times more intense than 1 dB, 20 dB is 100 times more intense than 1 dB, and 30 dB is 1,000 times more intense than 1 dB. Thirty decibels (30 dB) represents 1,000 times as much acoustic energy as 1 dB. The decibel scale increases as the square of the change, representing the sound pressure energy. A sound as soft as human breathing is about 10 times greater than 0 dB. The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. A 10 dB increase in sound level is perceived by the human ear as only a doubling of the loudness of the sound. Ambient sounds generally range from 30 dB (very quiet) to 100 dB (very loud).

Sound levels are generated from a source, and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. For a single point source, sound levels decrease approximately 6 dB for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by stationary equipment. If noise is produced by a line source (e.g., highway traffic or railroad operations) the sound decreases 3 dB for each doubling of distance in a hard site environment. Line source (noise in a relatively flat environment with absorptive vegetation) decreases 4.5 dB for each doubling of distance.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and Community Noise Equivalent Level (CNEL) or the day-night average noise level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours), and a 10 dBA weighting factor applied to noises occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within 1 dBA of each other and are normally interchangeable. The City uses the CNEL noise scale for long-term noise impact assessment.

Other noise rating scales of importance when assessing the annoyance factor include the maximum instantaneous noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same.

Noise impacts can be described in three categories. The first category includes audible impacts that refer to increases in noise levels noticeable to humans. Audible increases in noise levels generally refer to a change of 3 dB or greater because this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, refers to a change in the noise level between 1 dB and 3 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category includes changes in noise levels of less than 1 dB, which are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are considered a potentially impact.

Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects the entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, thereby affecting blood pressure and functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA would result in permanent cell damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear, even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear (the threshold of pain). A sound level of 160–165 dBA will result in dizziness or loss of equilibrium. The ambient or background noise problem is widespread and generally more concentrated in urban areas than in outlying, less developed areas. Table A lists definitions of acoustical terms, and Table B shows common sound levels and their sources.

Table A: Definitions of Acoustical Terms

Term	Definitions
Decibel, dB	A unit of measurement that denotes the ratio between two quantities that are proportional to power; the number of decibels is 10 times the logarithm (to the base 10) of this ratio.
Frequency, Hz	Of a function periodic in time, the number of times that the quantity repeats itself in 1 second (i.e., number of cycles per second).
A-Weighted Sound Level, dBA	The sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low- and very high-frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. (All sound levels in this report are A-weighted, unless reported otherwise.)
L_{01}, L_{10}, L_{50}, L_{90}	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1%, 10%, 50%, and 90% of a stated time period.
Equivalent Continuous Noise Level, L_{eq}	The level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time-varying sound.
Community Noise Equivalent Level, CNEL	The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 5 dBA to sound levels occurring in the evening from 7:00 PM to 10:00 PM and after the addition of 10 dBA to sound levels occurring in the night between 10:00 PM and 7:00 AM.
Day/Night Noise Level, L_{dn}	The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 10 dBA to sound levels occurring in the night between 10:00 PM and 7:00 AM.
L_{max}, L_{min}	The maximum and minimum A-weighted sound levels measured on a sound level meter, during a designated time interval, using fast time averaging.
Ambient Noise Level	The all-encompassing noise associated with a given environment at a specified time; usually a composite of sound from many sources at many directions, near and far; no particular sound is dominant.
Intrusive	The noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content, as well as the prevailing ambient noise level.

Source: *Handbook of Acoustical Measurements and Noise Control* (Harris 1991).

Table B: Common Sound Levels and Their Noise Sources

Noise Source	A-Weighted Sound Level in Decibels	Noise Environments	Subjective Evaluations
Near Jet Engine	140	Deafening	128 times as loud
Civil Defense Siren	130	Threshold of Pain	64 times as loud
Hard Rock Band	120	Threshold of Feeling	32 times as loud
Accelerating Motorcycle at a Few Feet Away	110	Very Loud	16 times as loud
Pile Driver; Noisy Urban Street/Heavy City Traffic	100	Very Loud	8 times as loud
Ambulance Siren; Food Blender	95	Very Loud	—
Garbage Disposal	90	Very Loud	4 times as loud
Freight Cars; Living Room Music	85	Loud	—
Pneumatic Drill; Vacuum Cleaner	80	Loud	2 times as loud
Busy Restaurant	75	Moderately Loud	—
Near Freeway Auto Traffic	70	Moderately Loud	—
Average Office	60	Quiet	One-half as loud
Suburban Street	55	Quiet	—
Light Traffic; Soft Radio Music in Apartment	50	Quiet	One-quarter as loud
Large Transformer	45	Quiet	—
Average Residence without Stereo Playing	40	Faint	One-eighth as loud
Soft Whisper	30	Faint	—
Rustling Leaves	20	Very Faint	—
Human Breathing	10	Very Faint	Threshold of Hearing
—	0	Very Faint	—

Source: Compiled by LSA (2015).

LOCAL REGULATIONS

The following sections present the applicable noise standards incorporated in this assessment.

City of Pittsburg General Plan Noise Element

The Noise Element, Section 12 of the General Plan (2004), contains a description of various noise level increases and their respective perception, specifically at residential uses, in terms of potential impacts:A one (1) dBA change or less is not perceptible.

- A three (3) dBA change is considered barely perceptible
- A five (5) dBA change is considered noticeable, thus often resulting in a potential impact.

As presented in Policy 12-P-7, noise control at the source through site design and other techniques is required for new development.

OVERVIEW OF THE EXISTING NOISE ENVIRONMENT

The existing noise environment includes traffic noise from Willow Pass Road to the north, industrial uses and the existing rail line to the south and southeast, and corona noise from the existing powerlines. Noise from motor vehicles is generated by engine vibrations, interaction between tires and the road, and exhaust systems. Noise associated with the neighboring industrial uses is generated by heavy tuck movements, loading dock activities, forklift operations and other parking lot activities.

Sensitive Land Uses in the Project Vicinity

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptors would be single-family residences approximately 80 feet east of the project site. These residential uses have an existing 8-foot high wall along the western property line. There are also existing residences to the west and south. The distances to these communities are 1,300 and 1,050 feet, respectively.

Existing Noise Level Measurements

Noise levels at the project site are dominated by traffic on the surrounding streets and rail line as well as the existing industrial use activities. In order to assess the existing noise conditions in the project study area. Three long-term measurements were gathered from October 27 to October 29, 2017 as well as two (2) 15-minute short-term noise measurements on October 27, 2017. The locations of the noise measurements are shown on Figure 3, with the results shown in Table C.

Existing Aircraft Noise

Airport related noise levels are primarily associated with aircraft engine noise made while aircraft are taking off, landing, or running their engines while still on the ground. The closest airport to the



LSA

LEGEND

Project Site

Noise Monitoring Number and Location

LT-1

0 200 400

FEET

SOURCE: Google Maps Satellite (2016).

P:\SNS2001\Figure 3_Noise Monitoring Locations.pdf (3/19/2020)

FIGURE 3

Fluence Energy LS Power Diablo Project
Pittsburg, Contra Costa County, California

Noise Monitoring Locations

project site is the Buchanan Field Airport (CCR) located approximately 8.8 miles to the southwest in Contra Costa County. According to the Buchanan Field Noise Program, the project is located outside of the airport's influence area. Aircraft flyovers may be audible at the project site; however, no portion of the project site lies within the 65 dBA CNEL noise contours of the airport.

Table C: Existing Noise Level Measurements

Location	Description	Range of Daytime Noise Levels (dBA L_{eq})	Range of Nighttime Noise Levels (dBA L_{max})
LT-1	Southeast corner of proposed project site near existing single-family residences.	51.2 – 62.3	53.0 – 62.8
LT-2	Approximately 1,200 feet west of the proposed project site and 50 feet south of Willow Pass Road.	58.4 – 70.0	51.8 – 64.3
LT-3	Approximately 1,750 feet southwest of the proposed project site and 55 feet south of North Parkside Drive.	62.1 – 69.0	55.8 – 67.8
ST-1	Approximately 630 feet southeast of the project site, near the existing industrial uses.	55.9	-
ST-2	Approximately 250 feet west of the project site, near the existing parking lot.	49.0	-

Source: LSA, October 27-29, 2017
dBA = A-weighted decibel
L_{eq} = average noise level
L_{max}=maximum noise level

PROJECT OPERATIONS ASSESSMENT

Noise impacts associated with the long-term operation of the project must comply with the standards presented in the City's Noise Element, described above. A potential impact could occur if the noise impacts associated with operation of the proposed project increase existing noise levels by 5 dBA L_{eq} or more. More specifically, for this analysis, the assessment will confirm that the overall impacts will be less than the Previous Project which determined that noise level increases would be less than 5 dBA L_{eq}.

In order to calculate the expected impacts due to long-term operational stationary source activities, the software SoundPlan was used. SoundPlan is a noise modeling program that allows 3-D calculations to be made taking into account topography, ground attenuation, and shielding from structures and walls. More specifically, this also includes the existing wall that runs north-south and is located east of the project site and west of the existing single-family homes. Within the model, the noise library allows for the input of many noise sources and calculates the composite noise levels experienced at any receptor necessary. The results from any calculation can be presented both in both tabular and graphic formats.

The proposed operations assumed in this analysis were based on conversations with the project engineer and are conservative in nature (i.e. all operations are occurring simultaneously). The project consists of 79 cores and a substation on the western portion of the project site. A description of the sources within each core and their respective sound pressure levels included in

the analysis, which represent the loudest noise hour when the greatest amount of equipment is in operation, is as follows:

- 18 Cubes – Each cube had two cooling units in the door which each have a sound pressure noise level of 65 dBA L_{eq} at 1 meter.
- 1 padmount transformer –Each transformer has a sound pressure noise level of 65 dBA L_{eq} at a distance of 0.3 meters
- 1 inverter block –Each inverter block has a sound pressure noise level of 79 dBA L_{eq} at a distance of 1 meter
- 2 HVAC units within the substation that have a sound pressure noise level of 58.7 dBA L_{eq}.
- 1 generator step-up transformer within the substation with a reference sound pressure level of 80.9 dBA L_{eq}.

Table D shows the results of the SoundPlan noise modeling for the New Project as well as a comparison to the results of the Previous Project at full operations. The results show that the noise levels at all points around the project site would experience noise level impacts that would increase the existing measured noise level by less than 5 dBA; thus the project would not result in an impact to the existing sensitive receptors. Additionally, the project contribution of the New Project would be less than the Previous Project at each receptor. A graphic showing the results of the SoundPlan modeling during full site operations is provided in Figure 4.

SUMMARY

As described herein, the New Project would result in slightly increased noise levels in the project vicinity due to daily operations; however, those noise levels would not cause a significant noise increase and the overall operational noise levels would be less than assumed for the Previous Project.

Please contact me at JT.Stephens@lsa.net if you have any questions regarding these findings.

Sincerely,

LSA Associates, Inc.



J.T. Stephens
Associate

Table D: Project Operations – All Sources

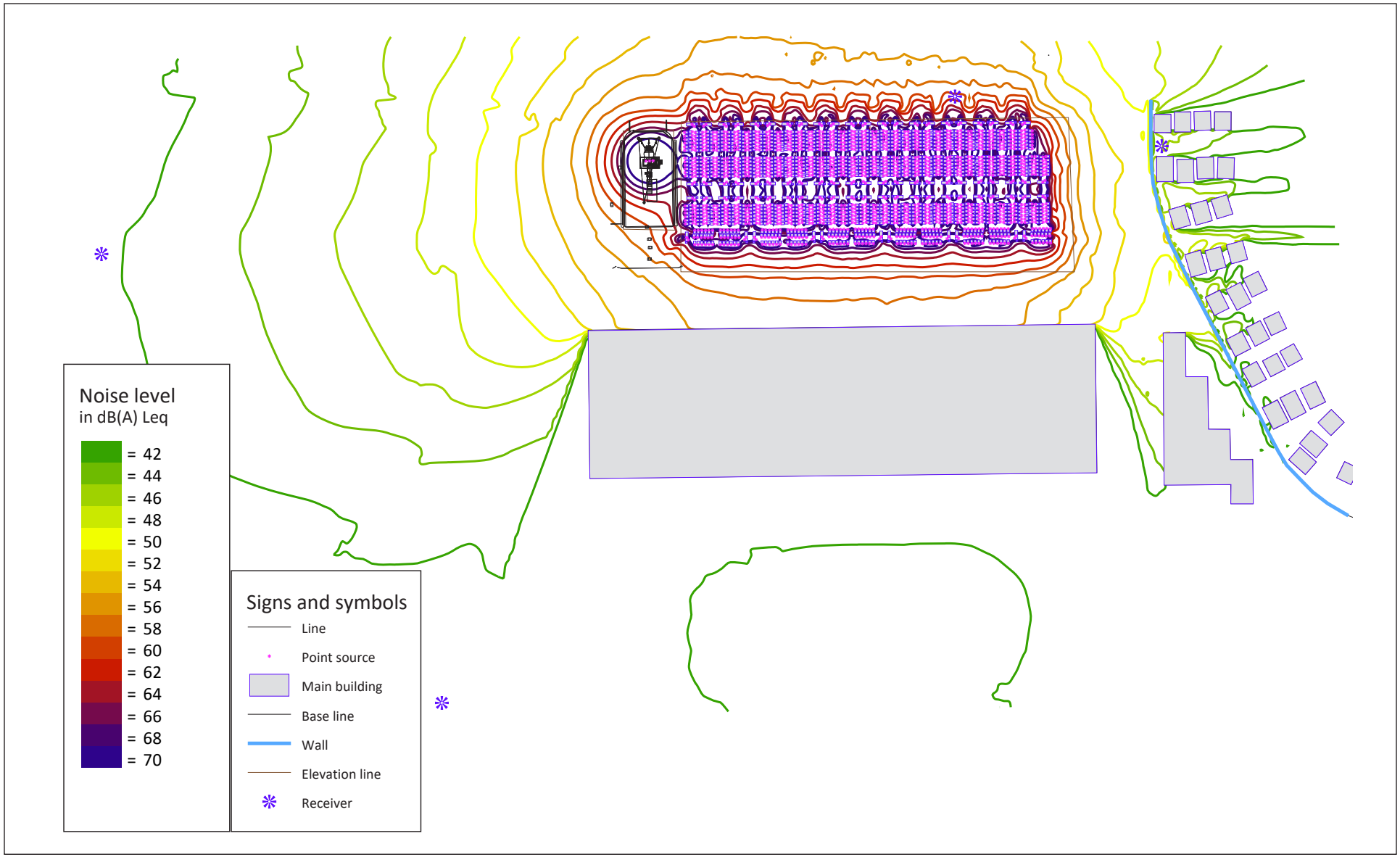
Receiver Location	Existing Average Noise Hour (dBA Leq)[1]	Previous Project - Full Operations		New Project		Comparison of Projects
		Noise Impact From Project Operations (dBA Leq)	Future Noise Level / Noise Level Increase (dBA L_{eq})	Noise Impact From Project Operations (dBA Leq)	Future Noise Level / Noise Level Increase (dBA L_{eq})	Noise Impact Change From Previous Project (dBA Leq)
R-1 Residences East of Site	57.9[1]	48.7	58.4 / 0.5	46.1	58.2 / 0.3	-2.6
R-2 Residences West of Site	45.7[1]	43.9	47.9 / 2.2	41.8	47.2 / 1.5	-2.1
R-3 Residences South of Site	61.8[1]	45.5	61.9 / 0.1	40.2	61.8 / 0.0	-5.3
R-4 Northern Property Line	64.2[2]	66.9	68.8 / 4.6	61.0	65.9 / 1.7	-5.9

Source: LSA. March 2020.

1. The average nighttime noise hour was taken from existing measurements provided in Table C above. In the case of R-2, existing noise levels were propagated based on distance from Willow Pass Road.
2. The average daytime noise hour was taken from existing measurements provided in Table C above given the use of the sidewalk to the north of the project is expected to occur during daytime hours and is an active use.

dBA = A-weighted decibels

L_{eq} = equivalent continuous level



LSA

FIGURE 4

Fluence Energy LS Power Diablo Project
Pittsburg, Contra Costa County, California
Future Operational Impacts

CITY OF PITTSBURG
MITIGATED NEGATIVE DECLARATION

DIABLO ENERGY STORAGE, AP-17-1270

Adopted by the Pittsburg City Council on: _October 1, 2018_

Notice is hereby given that the City of Pittsburg finds that no significant effect on the environment, as prescribed by the California Environmental Quality Act of 1970 (CEQA), as amended, will occur for the following proposed project:

Project Proponent: City of Pittsburg, 65 Civic Avenue, Pittsburg, CA 94565

Project Description: This is a request for approval of: 1) an amendment to the existing 'Empire Business Park Overlay' zoning district (Ordinance Nos. 07-1284 and 04-1214; 2) a use permit; and 3) design review of plans to establish a battery storage project on a currently vacant site. The purpose of the proposed development is to reliably receive, store and discharge electric energy from the California Independent System Operator-controlled electric grid, including renewable energy produced by existing solar and wind resources in the region. The project would consist of up to three buildings (each 60,000 square feet) constructed on a graded and vacant approximately 12 acre site, representing a portion of the property designated as the 35 acre Empire Business park. The buildings would house advanced energy storage equipment including inverters, transformers and a small onsite electric substation. The facility would be connected via a new electric tie-in line to the existing Pacific Gas & Electric Company (PG&E) Pittsburg Substation located approximately 0.6 mile north of the site. Three alternative routes are under consideration for the tie-in line to the PG&E Substation. The facility would be unoccupied and is designed for full remote operation.

Project Location: 701 Willow Pass Road, Pittsburg, CA. 94565 (Assessor's Parcel No. 085-280-010)

Findings: The project described above will not have a significant effect on the environment for the reasons stated below. The Initial Study prepared for the project identified potentially significant impacts if the West Tie-in alignment is selected in the following categories: Biological Resources, and Tribal Cultural Resources. Mitigation measures have been identified to reduce each of the potentially significant impacts to a less-than-significant level.

Other: Impacts resulting from this project were found to be less than significant in the following areas: Aesthetics, Agriculture and Forest Resources, Air Quality, Biological Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, and Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, Utilities/Service Systems, and Mandatory Findings of Significance were found to be less than significant.

Attachments: Initial Study

California Environmental Quality Act
Initial Study
Diablo Energy Storage Project

February 2018



Prepared For:
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Prepared By:
17911 Von Karman Avenue, Suite 400
Irvine, CA 92614

California Environmental Quality Act
Initial Study
Diablo Energy Storage Project

February 2018



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APPENDICES

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Appendix B	CalEEMod Input and Output Summary
Appendix C	Sensitive Species Occurrences within Three Miles
Appendix D	Noise Technical Report
Appendix E	NAHC Correspondence

List of Acronyms and Abbreviations

Acronym	Name
ABAG	Association of Bay Area Governments
AC	Alternating Current
Applicant	Diablo Energy Storage, LLC
BAAQMD	Bay Area Air Quality Management District
BC	Business Commercial
BCC	USFWS Bird of Conservation Concern
BMPs	Best Management Practices
CaA	Capay Clay
CalEEMod	California Emission Estimator Model
CAISO	California Independent System Operator
CASQA	California Stormwater Quality Association
Cc	Clear Lake Clay
CCCFPD	Contra Costa County Fire Protection District
CEQA	California Environmental Quality Act
CDFW	California Department of Fish and Wildlife
CHRIS	California Historical Resources Information System
CNDDB	California Natural Diversity Data Base
CO2	Carbon Dioxide
CWA	Clean Water Act
dB	Decibel
DC	Direct Current
DOT	Department of Transportation
DTSC	Department of Toxic Substances Control
ESA	Endangered Species Act
FE	Federal Endangered
FEMA	Federal Emergency Management Agency
FT	Federal Threatened
FC	Candidate for Federal Listing
GhG	Greenhouse Gas
GQ	Governmental and Quasipublic
HCP/NCCP	Habitat Conservation Plan/Natural Community Conservation Plan
HVAC	Heating, Ventilation and Air Conditioning
IG	General Industrial
IPaC	Information for Planning and Consultation (USFWS website)
IP-O	Industrial Park-Limited Overlay
Ja	Joice muck
kV	Kilovolts
LUC	land use covenant
mg/L	Milligrams per liter
MRZ	Mineral Resource Zone
NAHC	Native American Heritage Commission
NAVD 88	North American Vertical Datum of 1988
NOx	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
Ob	Omni silty Clay
PG&E	Pacific Gas & Electric Company
PM	Particulate Matter
POI	point of interconnection
QSP	Qualified SWPPP Practitioner

ROGs	Reactive Organic Gasses
RWQCB	Regional Water Quality Control Board
SE	State Endangered
SFP	State-Fully Protected
So	Sycamore silty clay loam
SR	State Route
SSC	Species of Special Concern
ST	State Threatened
SWPPP	Storm Water Pollution Prevention Plan
TCE	tricholorethylene
VHHSZ	Very High Fire Hazard Severity Zone
WL	Watch List Species
Zone AE	100-year flood zone

1.0 INTRODUCTION

1.1 Project Overview

Diablo Energy Storage, LLC (Applicant) has submitted to the City of Pittsburg (City) a request for approvals necessary for development of an approximately 12-acre project site (Site) within an approximately 35 acre parcel (APN 085-280-010) located at 701 Willow Pass Road, Pittsburg, California. One hundred percent of the Site has previously been graded and is currently occupied by paved access routes, maintained bare soil, and non-native grassland. The site is within the Empire Business Park Overlay District and would be leased by the Applicant.

The Applicant proposes to construct one to three single story buildings and associated electrical equipment onsite. The buildings would house advanced energy storage technology (e.g., lithium ion batteries) which, together with related control equipment including inverters, transformers, and a small onsite electric substation, would be connected via a new electric tie-line to the existing Pacific Gas & Electric Company (PG&E) Pittsburg substation located approximately 0.6 mile north of the Site. The facility would be unoccupied and is designed for full remote operation.

The Site is within the East Contra Costa Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) area. Two alternate routes being considered for a tie-line to the PG&E Pittsburg substation are also within the HCP/NCCP area and a third alternate route being considered extends out of the HCP/NCCP area.

The parcel is designated Business Commercial (BC) in the General Plan and zoned Industrial Park-Limited Overlay (IP-O). Approvals from the City that would be necessary for the proposed development include: a zoning text amendment to amend the IP-O (Industrial Park With a Limited Overlay, Ord. No. 07-1284) District, or the “empire business park overlay district”, such that a “major utility” would be permitted with a use permit. In addition to the zoning text amendment, Diablo Energy Storage, LLC is applying for a conditional use permit, design review and development agreement. A minor subdivision (lot line adjustment or parcel map waiver), or filing of a final map following a current tentative parcel map may also be pursued that would divide the Site from the existing 35 acre parcel.

1.2 California Environmental Quality Act

The Diablo Energy Storage project approvals being considered constitute a “project” as defined by the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the “CEQA Guidelines” (California Code of Regulations, Title 14, Section 15000 et seq), and is thereby subject to the requirements of CEQA. For purposes of CEQA, the term “project” refers to the whole of an action which has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378). As the principal public agency responsible for approval the Diablo Energy Storage project, the City is the “lead agency” overseeing and administering the CEQA environmental review process.

As set forth in various provisions of the CEQA Statute (e.g., Section 21080), before deciding whether to approve a project, public agencies must consider the potential significant environmental impacts of the project and must identify feasible measures to minimize these impacts. Pursuant to CEQA Guideline Section 15064, if any aspect of the proposed project,

either individually or cumulatively, may cause a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, an Environmental Impact Report (EIR) must be prepared.

This Initial Study is a factual document, prepared in conformance with CEQA, and written for the purpose of making the public and decision-makers aware of the potential environmental consequences of the project. For any project impact that is considered potentially "significant," the Initial Study identifies mitigation measures, where feasible, to reduce or avoid the significant effect. Before any action can be taken to approve the Diablo Energy Storage Project, the City must certify that it has reviewed and considered the information in the Initial Study/Proposed Negative Declaration and that this document has been completed in conformity with the requirements of CEQA. Approval of a Negative Declaration does not approve or deny the proposed project.

1.3 Environmental Review

Consistent with CEQA, this Initial Study is a public information document for use by governmental agencies and the public to identify and evaluate potential environmental consequences of the proposed project and to recommend mitigation measures and/or standard conditions of approval to lessen or eliminate adverse impacts.

This Initial Study/Proposed Negative Declaration is available for public review for thirty days, during which time written comments on the Initial Study may be submitted to:

Kristin Pollot, AICP
Planning Manager
City of Pittsburg
Planning Division
65 Civic Avenue
Pittsburg, CA 94565
kpollot@ci.pittsburg.ca.us

2.0 PROJECT DESCRIPTION

The Site location is shown in Figure 1. The Site constitutes Parcel B of the existing Tentative Parcel Map for APN 085-280-010 as shown in Figure 2. The Site has previously been graded and is mostly covered with several feet of fill dirt. Figure 3 provides representative photographs of the Site and surroundings.

The facility would not generate electricity. Rather, it would provide a service by receiving energy (charging) from the point of interconnection (POI) with the PG&E electric transmission system, storing energy, and then later delivering energy (discharging) back to the POI. Following construction, the proposed use would not create emissions to air, would not require sanitary facilities, and would not require water except to maintain water efficient landscape to meet City requirements.

2.1 Purpose

The purpose of the proposed development is to reliably and economically receive, store and discharge electric energy from the California Independent System Operator (CAISO)-controlled electric grid, including renewable energy produced by existing solar and wind resources in the region. The project would interconnect to the CAISO-controlled grid at the nearby PG&E's Pittsburg Substation. Construction of the project would:

- Provide a new economic and reliable means of capturing and managing renewable energy;
- Provide economic benefit to the City of Pittsburg, Contra Costa County, the region, and the State, through construction jobs, property and sales taxes, and increased energy efficiency and reliability;
- Help stabilize the electric grid and increase the effectiveness of both conventional and renewable energy generation projects;
- Support the achievement of local, state and federal renewable energy goals; and
- Support State goals for energy storage.

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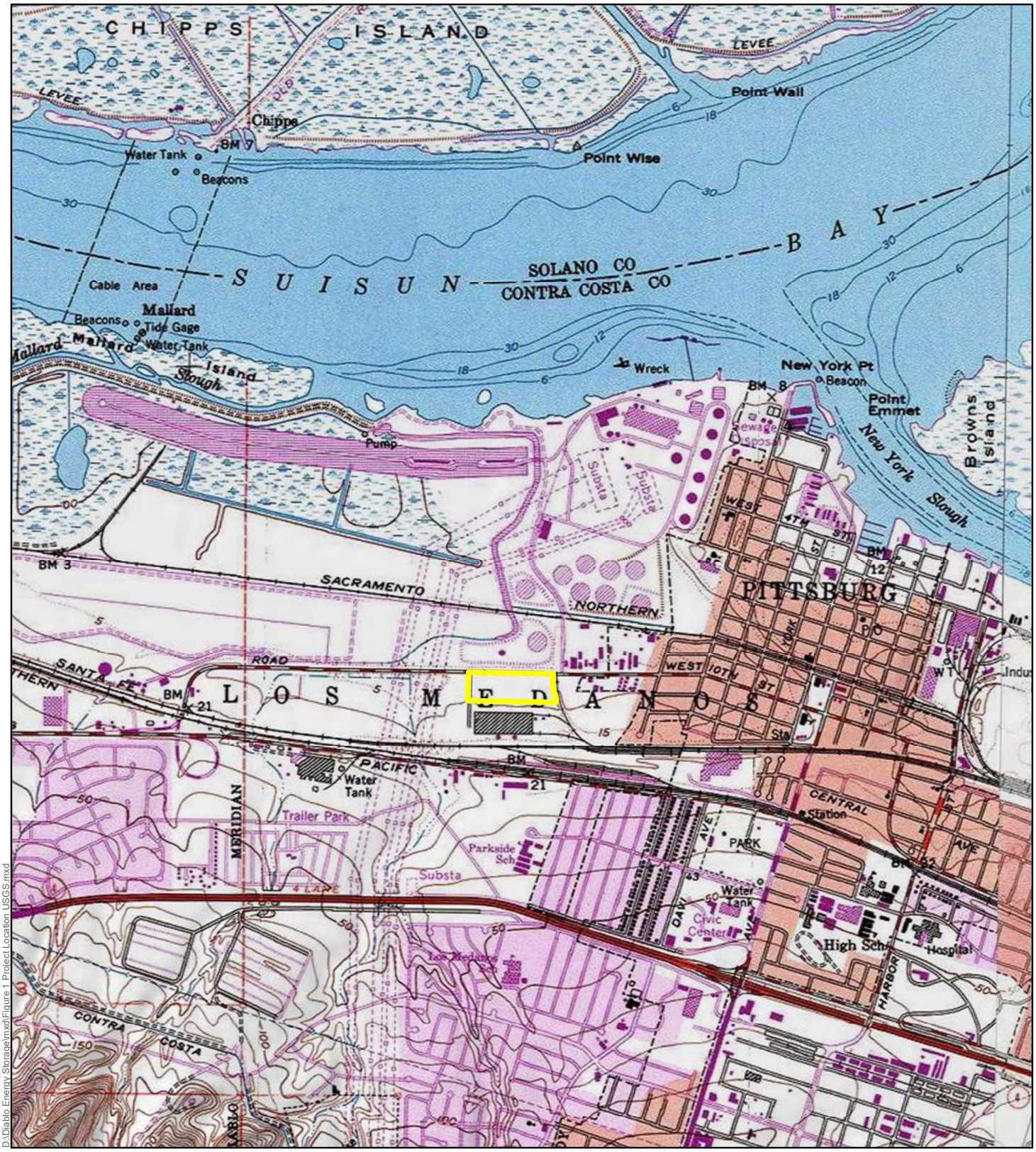

Legend

Project Site

Figure 1: Site Location
Diablo Energy Storage, LLC

N

0 0.5 1 Miles

1:24,000

10/13/2017

TRC Results you can rely on

Figure 2

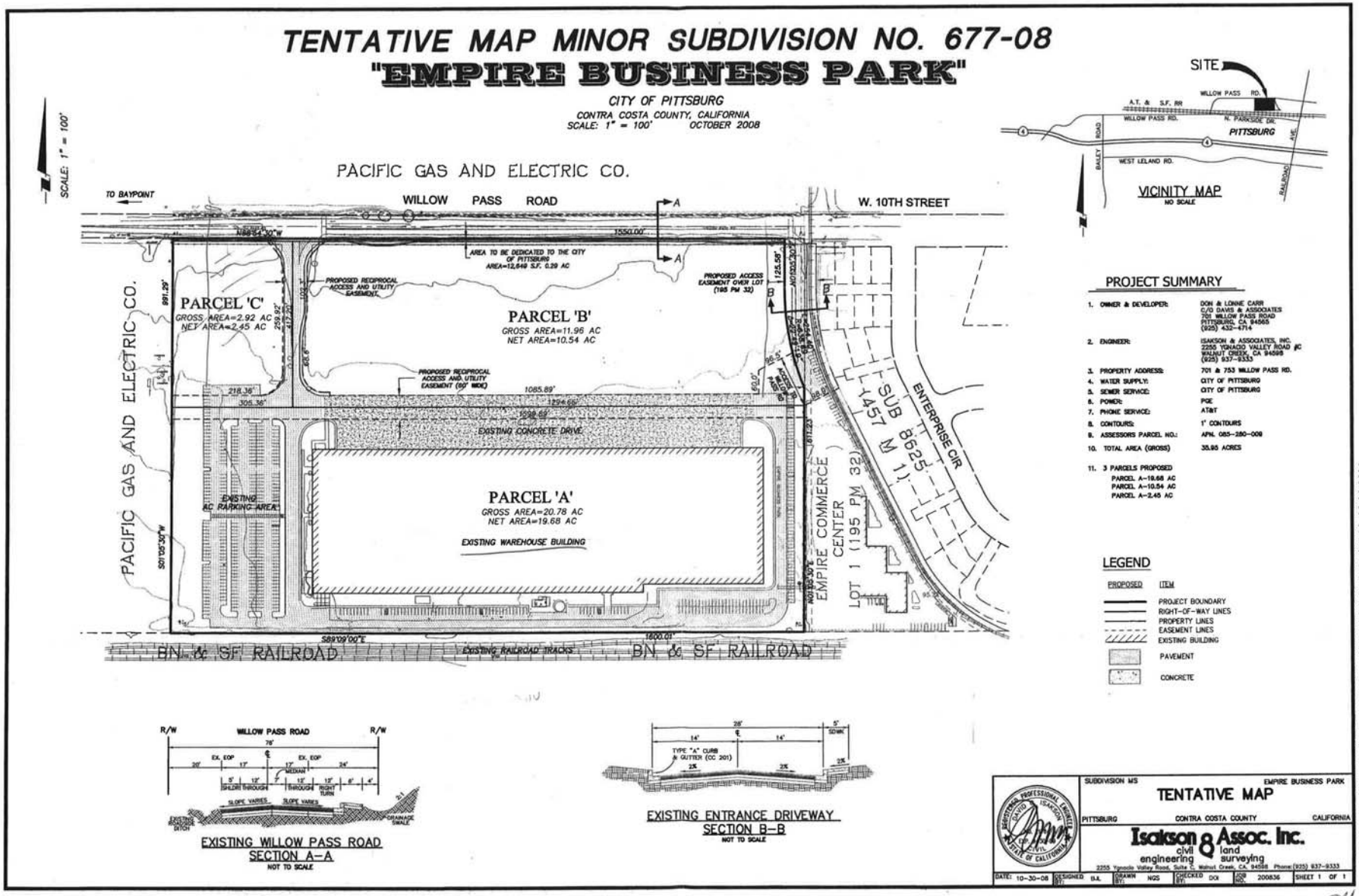
TENTATIVE MAP MINOR SUBDIVISION NO. 677-08
"EMPIRE BUSINESS PARK"
CITY OF PITTSBURG
CONTRA COSTA COUNTY, CALIFORNIA
SCALE: 1" = 100' OCTOBER 2008
SCALE: 1" = 100'
PACIFIC GAS AND ELECTRIC CO.
TO BAYPOINT
WILLOW PASS ROAD
W. 10TH STREET
PARCEL 'C'
GROSS AREA=2.92 AC
NET AREA=2.45 AC
PARCEL 'B'
GROSS AREA=11.96 AC
NET AREA=10.54 AC
PARCEL 'A'
GROSS AREA=20.78 AC
NET AREA=19.68 AC
EXISTING WAREHOUSE BUILDING
EXISTING CONCRETE DRIVE
EXISTING AC PARKING AREA
AREA TO BE DEDICATED TO THE CITY OF PITTSBURG AREA=12,649 S.F. 0.29 AC
PROPOSED RECIPROCAL ACCESS AND UTILITY EASEMENT
PROPOSED ACCESS EASEMENT OVER LOT (195 PM 32)
PROPOSED RECIPROCAL ACCESS AND UTILITY EASEMENT (60' MIN)
EMPIRE COMMERCE CENTER
LOT 1 (195 PM 32)
SUB 8625 (457 M 1)
ENTERPRISE CIR
BN. & SF. RAILROAD
EXISTING RAILROAD TRACKS
BN. & SF. RAILROAD
SITE
WILLOW PASS RD.
A.T. & S.F. RR
N. PARKSIDE DR.
PITTSBURG
BAILEY ROAD
WEST LELAND RD.
VICINITY MAP
NO SCALE
PROJECT SUMMARY
1. OWNER & DEVELOPER: DON & LONNIE CARR C/O DAVIS & ASSOCIATES 701 WILLOW PASS ROAD PITTSBURG, CA 94565 (925) 432-4714
2. ENGINEER: ISAKSON & ASSOCIATES, INC. 2255 YGNACIO VALLEY ROAD #C WALNUT CREEK, CA 94598 (925) 937-9333
3. PROPERTY ADDRESS: 701 & 753 WILLOW PASS RD.
4. WATER SUPPLY: CITY OF PITTSBURG
5. SEWER SERVICE: CITY OF PITTSBURG
6. POWER: PGE
7. PHONE SERVICE: AT&T
8. CONTOURS: 1' CONTOURS
9. ASSESSORS PARCEL NO.: APN. 085-280-009
10. TOTAL AREA (GROSS) 35.95 ACRES
11. 3 PARCELS PROPOSED
PARCEL A-19.68 AC
PARCEL A-10.54 AC
PARCEL A-2.45 AC
LEGEND
PROPOSED ITEM
PROJECT BOUNDARY
RIGHT-OF-WAY LINES
PROPERTY LINES
EASEMENT LINES
EXISTING BUILDING
PAVEMENT
CONCRETE
EXISTING WILLOW PASS ROAD SECTION A-A
NOT TO SCALE
EXISTING ENTRANCE DRIVEWAY SECTION B-B
NOT TO SCALE
SUBDIVISION MS
EMPIRE BUSINESS PARK
TENTATIVE MAP
PITTSBURG CONTRA COSTA COUNTY CALIFORNIA
Isaksen & Assoc. Inc.
civil engineering land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA 94598 Phone:(925) 937-9333
DATE: 10-30-08 DESIGNED BY: B.L. DRAWN BY: NGS CHECKED BY: DOI JOB NO. 200836 SHEET 1 OF 1
200836 EMPIRE - TENTATIVE MAP MINOR SUBDIVISION NO. 677-08 10-30-2008

Figure 3: Site Photographs



1) Looking east from west end of the Site.

2) Looking north along the driveway east of the Site. Existing trees shield views from closest houses.





3) Looking east on the northern end of the Site.

4) Looking west from the east side of the Site.





5) Looking south along the driveway landscape just offsite, on the west side of existing driveway to be used for project access. West boundary of the site is generally along the driveway centerline. The onsite non-native grassland visible on the left site of the driveway would be developed with landscape to generally mirror that shown in the photo for aesthetics.

6) Looking north along the existing driveway to be used for project access. West boundary of the site is generally along the driveway centerline. The onsite non-native grassland visible on the right side of the driveway would be developed with landscape to generally mirror that shown on the left side of the driveway. Either the tie-line Middle or East Alignment routes, if used, would cut through the existing Tank farm visible in right-background.





7) Looking east down Willow Pass Road along the site frontage. Existing 12kV distribution lines occur adjacent to Willow Pass Road. Existing site fencing is visible at right. Project would install landscaping including trees and groundcover along the site frontage in place of non-native grass.

8) Looking west down willow pass road from west side of the site. The existing PG&E high voltage corridor is visible in the background. The tie-line West Alignment, if used, would extend along Willow Pass Road and beneath the existing transmission lines before turning north to parallel the existing lines to the PG&E Pittsburg Substation.



2.2 Project Design

The Project would develop up to three single-story 60,000 square foot industrial-type buildings for a total of 180,000 square feet of development. Battery systems would be housed inside buildings designed for aesthetic compatibility with the surrounding area. The buildings would have battery storage racks separated by aisles, with relay and communications systems for automated monitoring and managing of the batteries to ensure design performance and system life. Batteries operate with direct current (DC) electricity that must be converted to alternating current (AC) for compatibility with the existing electric grid. Power inverters to convert between AC and DC would be located outside the buildings along with transformers that would step up the voltage. A small onsite substation (Figure 5) with switchgear and an additional transformer would further step-up the voltage to the 230 Kilovolts (kV) needed for compatibility with the voltage of the point of interconnection to the electric grid.

The substation area would be fenced in accordance with high voltage electric code requirements and would include an approximately 24-foot wide x 50-foot high H-frame structure with switches, lightning arrestors and metering equipment. The onsite substation would be connected to the existing PG&E Pittsburg Substation to the north via an overhead 230 kV electric tie-line. A photograph example of poles that would be used to support the 230 kV tie-line are shown in Figure 4, along with photograph example for lattice tower structures that may be needed for a portion of one alignment. The area between the Site and the Pittsburg Substation is extensively developed with industrial and utility infrastructure that prevents a direct tie-line route and limits feasible routes. The Applicant is requesting approval to use any of the following three alignments shown in Figure 5, designed following tight geometric and space constraints through existing infrastructure areas:

- The **West Alignment** would leave the Site westbound on the south side of Willow Pass Road and extend under an existing PG&E high voltage transmission corridor just west of the Site, and then turn north to follow the existing transmission corridor to the Pittsburg substation. This alignment is approximately 6,700 feet long and would require approximately eight support structures. Three of these structure locations may require lattice towers (Figures 4 and 5) where the alignment is alongside the existing PG&E high voltage corridor. The remaining structures would be approximately 77-95 foot high poles similar to the example pole in Figure 4. This alignment is located mostly on highly disturbed land, except for structures near the north end located in habitat that could be wetlands requiring permits from other jurisdictional agencies.
- The **Middle Alignment** heads north from the Site through an existing oil tank farm. This alignment is approximately 3,800 feet long and would require approximately twelve 77-95 foot high support poles located entirely on highly disturbed land.
- The **East Alignment** is the same as the Middle Alignment near the Site but extends around the east side of the existing oil tank farm. The length of this route is approximately 5,800 feet and would require approximately sixteen 77-95 foot high support poles, entirely located on highly disturbed land.

Figure 4: Example Tie-Line Structures



1) This 230 kV pole line is an example of what the project's approximately 77- to 95-foot high tie-line pole structures could look like.

2) If the West Alignment is used, approximately three lattice tower structures similar to that shown here could be required where the tie-line crosses possible wetlands.



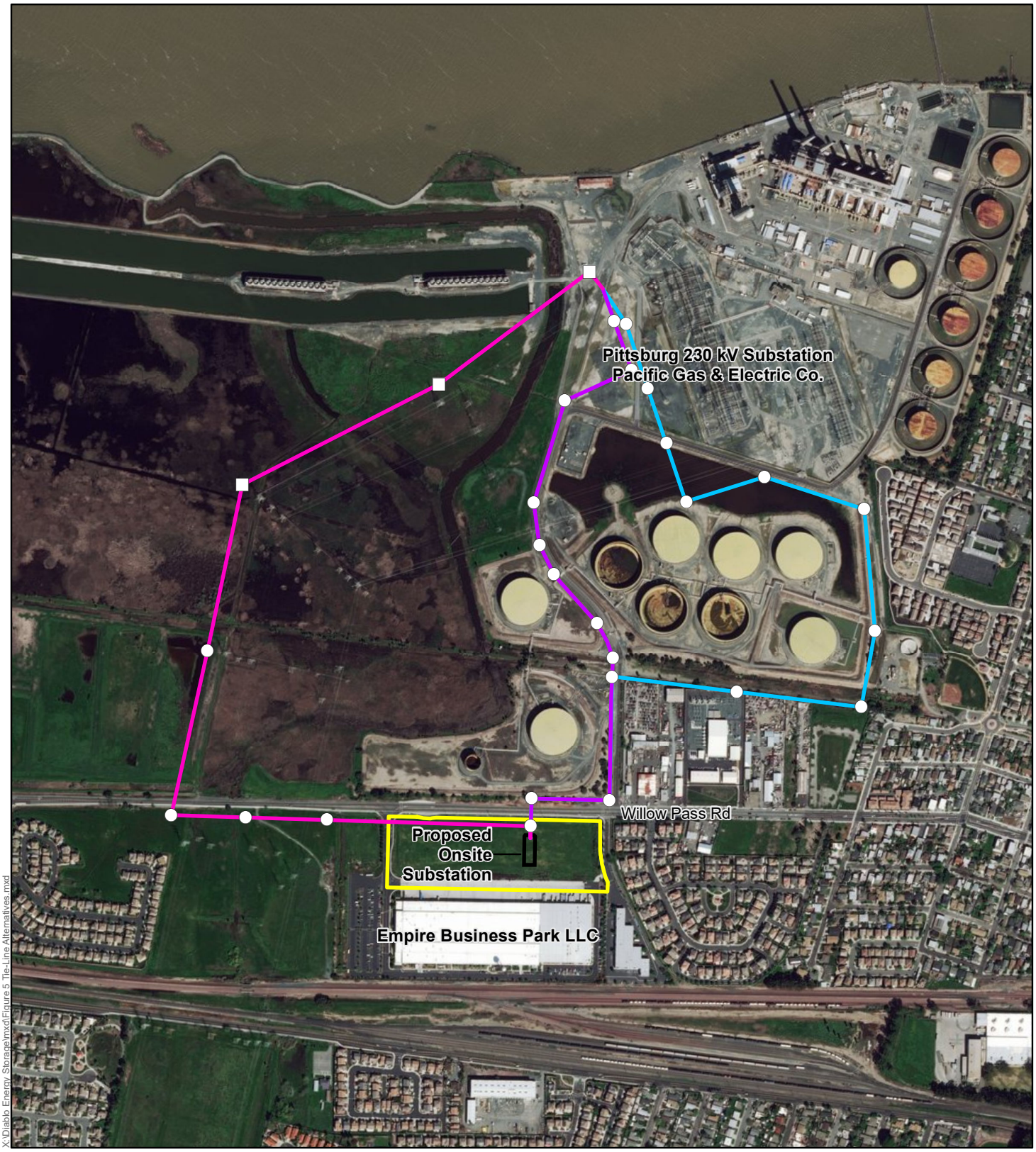

Figure 5: Tie-Line Alternatives
Diablo Energy Storage, LLC

Legend

- Tie-Line Structure (Pole)
- Tie-Line Structure (Pole or Tower)
- West Alignment
- Middle Alignment
- East Alignment
- Project Site
- Proposed Onsite Substation

N

0 400 800 1,200 Feet

1:9,600

2/5/2018

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2.3 Construction

Construction and equipment installation is expected to take 6 to 12 months including the buildings, outdoor electrical equipment, and site preparation including stormwater controls and landscaping. Construction staging would occur onsite. Construction may be phased in response to market demands. Final grading and building plans would be subject to approval by the City Engineering Division.

It is estimated that Site grading and preparation would require the following equipment:

TYPE	QUANTITY
Bulldozer (e.g., CAT D7)	1
Grader (e.g., CAT D7)	1
Scraper (15-30 CY)	2
Water Truck (3,000- 5,000 gal)	1
Self-Propelled Compactor	1
Dump Truck	1
Tractor/Loader/Backhoe (e.g., Case 590)	1
Bobcat	1

Sanitary facilities during construction would be provided by portable self-contained units maintained by a licensed contractor.

Project construction would implement the following measures to control dust emissions during construction in accordance with Bay Area Air Quality Management District guidance:

- Water or another non-toxic dust palliative would be used during construction to control dust.
- Exposed soil areas would be watered two times per day when needed to control dust emissions;
- Haul trucks transporting soil, sand or other loose material offsite would be covered;
- Best Management Practices (BMPs) would be implemented to minimize track-out onto adjacent public streets;
- A 15 mile per hour speed limit would be used for roadways until stabilized with gravel or other treatment to minimize dust; and
- Disturbed surfaces would be stabilized as soon as practical.

Construction is expected to generate up to an estimated 75 construction jobs during peak construction periods. Deliveries of equipment and materials would generate an estimated 5 round trips per day during peak construction periods that would occur throughout the day.

2.4 Operations

The facility would operate year-round and would be available to receive or deliver energy 24 hours a day, 365 days a year. The Site would be secured with chain link fencing and equipped with security

cameras, alarms and other security and operational monitoring systems. Landscaping would include water-efficient trees, shrubs and groundcover that would provide aesthetics for views from Willow Pass Road. Existing trees and landscaping along the driveway east of the Site (See Figure 3) would provide visual screening between the project and residences to the east. At the west edge of the site, proposed landscaping along the edge of the existing driveway would include trees and ground cover to mirror the existing landscaping on the opposite (offsite) edge of the driveway. The electrical equipment, heating, ventilation, air conditioning, fire protection systems, and security would be automated and monitored remotely. The Site would be unoccupied but visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. Periodically, batteries and various components would be replaced or renewed to ensure optimal operation.

Storm water treatment in accordance with City requirements would be provided by gravel yard surfacing and bioretention swales as shown in the Preliminary Design Drawings. Outdoor equipment would be sealed or enclosed and would not affect storm water quality.

Outdoor electrical equipment, cooling fans, and HVAC systems would generate low levels of noise during routine operations. The closest sensitive noise receptors are residences located east of the Site. The project is designed with a building at the eastern side that would block electrical equipment noise to these residential receptors. The facility would be designed comply with the noise standards at Section 12 of the General Plan.

At the end of battery life, battery modules would be removed from the battery racks and returned to the manufacturer or their approved recycling partner(s) for dismantling, material processing and recovery. Other waste from Site maintenance would be removed from the Site as part of maintenance work and managed in accordance with applicable regulations. Oil filled equipment is operated closed and sealed.

2.5 Schedule

Construction would be scheduled to begin after receipt of requisite permits and is expected to take approximately 6 -12 months. The full project could be constructed initially or portions of the site could be constructed in phases. The building space at the east end of the Site would be built first to block noise to residences. The Preliminary Site Plans in the detailed project description in Appendix A provide a conceptual phasing plan.

3.0 CEQA INITIAL STUDY CHECKLIST

1. **Project title:** Diablo Energy Storage, LLC

2. **Contact person and phone number:**
   Kristin Pollot
   Planning Manager
   City of Pittsburg
   (925) 252-4941
   kpollot@ci.pittsburg.ca.us

3. **Project location:** 701 Willow Pass Road, Pittsburg, CA 94565

4. **Project sponsor's name and address:**
   Diablo Energy Storage, LLC
   c/o Kevin R. Johnson
   5000 Hopyard Road, Suite 480
   Pleasanton, CA 94588

5. **General plan designation:**
   Business/Commercial

6. **Zoning:** Industrial Park-Limited Overlay (IP-O) ("*Empire Business Park Overlay District" Ord. No. 07-1284)*

7. **Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)**
   A comprehensive Project Description including maps and Preliminary Site Plans is attached to this initial Study as Appendix A.

8. **Surrounding land uses and setting (briefly describe the project's surroundings):**
   Willow Pass Road is adjacent to the north of the Site and lands north of Willow Pass Road are industrial. The adjacent land to the south of the Project Site is developed as an approximately 400,000 square foot commercial warehouse-style structure and associated parking and truck loading docks. Adjacent lands to the east of the Site consist of a paved commercial entrance road between the Project Site and a residential housing tract. Adjacent lands to the west of the Site are comprised of a paved entrance to the commercial development to the south, a graded but undeveloped area, and a high voltage electric transmission line corridor.

   If the Middle or East Alignment of the tie-line were to be constructed, adjacent lands are industrial except that an approximately 1,200 foot long segment of the East tie-line that has adjacent uses including residential and recreational at distances of approximately 100 to 300 feet. If the West Alignment is used for the tie-line, it would be located within and adjacent to an existing high voltage transmission corridor that traverses open space.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**
    The proposed Project would be required to obtain coverage under the State General NPDES Permit for discharges of stormwater from construction projects. This permit is administered by the Regional Water Quality Control Board and is in place for use by applicants upon filing of a satisfactory Permit Registration Documents.

    If the West Alignment is used for the tie-line, impacts to wetlands may occur that would require

a Fish and Game Code Section 1600 permit from California Department of Fish and Wildlife. In addition, if the West Alignment impacts federally jurisdictional wetlands, then a Clean Water Act (CWA) Section 404 Permit (Nationwide Permit No. 12 for Utilities) would be needed from U.S. Army Corps of Engineers as well as a CWA Section 401 Water Quality Certification from the Regional Water Quality Control Board.

3.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project. Check marks are indicated by the following symbol: ☑

☑ Aesthetics	☐ Agriculture and Forest Resources	☑ Air Quality
☑ Biological Resources	☑ Cultural Resources	☑ Geology/Soils
☑ Greenhouse Gas Emissions	☑ Hazards and Hazardous Materials	☑ Hydrology and Water Quality
☑ Land Use/Planning	☐ Mineral Resources	☑ Noise
☐ Population/Housing	☑ Public Services	☐ Recreation
☑ Transportation/Traffic	☑ Utilities/Service Systems	☑ Mandatory Findings of Significance

3.2 Determination

(To be completed by the Lead Agency) On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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

Prepared By: Joan Lamphier, Project Planner
Reviewed By: Kristin Pollot, Planning Manager

Signature _____ Date 2/7/18.

3.3 Evaluation of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☑
No Impact: *The proposed Project is not located within any scenic vista or scenic resources area designated in the City or County General Plans. Furthermore, neither the proposed Site facilities nor the electric line would be visible from any State- or County-designated Scenic Highway or Scenic Route. Existing uses surrounding the proposed Project include industrial and commercial developments to the north and south, a high voltage electric transmission line corridor to the west, and residential development to the east. Considering these factors, the Project would not impact any scenic vista.*				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑
No Impact: *No designated or eligible State scenic highways occur in the vicinity. The nearest State scenic highway is State Route (SR) -24, located approximately 24 miles south of the proposed Project location. The Project area is not visible from SR 24. Therefore, the Project would not affect scenic resources within a State scenic highway corridor. The Site is relatively flat and has been previously graded. There are no rock outcroppings, historic buildings, scenic tree stands or other scenic resources on the Site or electric line route. Considering these factors, there would be no impact to scenic resources.*				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☑	☐
Less than Significant Impact: *The Site is relatively flat and has been previously graded. Existing uses surrounding the proposed Project include industrial and commercial developments to the north and south, a high voltage electric transmission line corridor to the west, and residential development to the east. Considering these factors, the Project would not impact any scenic vista. The proposed Project features would not be out of scale or out of character with surrounding uses. An existing driveway bordering the east side of the Site is landscaped with non-native trees that would provide visual screening between the Site and the residential development to the east (refer to Figure 2 in the Project Description). Considering these factors, the proposed Project would not degrade the existing visual character or quality of the site and its surroundings. Therefore, the impact would be less than significant. Landscaping that would be completed consistent with City standards in conjunction with the Project would enhance existing visual characteristics of the Site.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☑	☐
Less than Significant Impact: *The Project would normally be unoccupied and the design does include new permanent night lighting. Motion-activated lighting may be used where needed for safety or security such as at access gates and doorways to buildings. If used, lighting would be directed downward and shielded to minimize visibility from offsite. As shown in the architectural renderings in Preliminary Site Plans, buildings would be single-story warehouse-type architecture that would not be a substantial source of glare. The electric tie-line would not have night lighting or large planar surfaces that could be a source of glare. Considering these factors, the Project would not create a new source of substantial light or glare that could affect day or nighttime views. Therefore, the impact would be less than significant.*				
II. AGRICULTURE AND FOREST RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
agricultural use?				
No Impact: *No farmlands occur in the vicinity of the proposed Project so no farmlands would be affected by the Project.*				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
No Impact: *No lands zoned for agriculture occur in the vicinity of the proposed Project so no lands zoned for agriculture or under a Williamson Act contract would be affected by the Project.*				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☑
No Impact: *No lands zoned forest land, timberland or timberland production occur in the vicinity of the proposed Project so no lands zoned forest land, timberland or timberland production would be affected by the Project.*				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑
No Impact: *No forest lands occur in the vicinity of the proposed Project so no forest lands would be affected by the Project.*				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☑
No Impact: *The proposed Project comprises infill development in an urbanized area. The site has been previously graded. Access is via the existing paved Willow Pass Road. There are no farmlands or forest lands in the vicinity of the proposed Project that could be affected. The proposed Project does not include any action that would result in rezoning or conversion of agricultural or forest land. Therefore, there would be no impact.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐

Less than Significant Impact: *The proposed Project would be located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The Project would not conflict with or obstruct implementation of any applicable air quality plan. The Project would not add dwelling units or structures that would generate operational emissions, or add full-time employees that would commute to and from the Projects on a daily basis. The Site would be unoccupied but visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. Operations would not result in emissions to air other than exhaust emissions from vehicle use for these periodic visits. These emissions would be minor considering the small and infrequent level of activity. Therefore, operations emissions would be less than significant.*

Project construction would result in dust and fuel-burning emissions. The BAAQMD significance thresholds for construction activities are provided in the following table along with maximum daily Project construction emissions as estimated by CalEEMod (Appendix B).

Criteria Pollutant	***Average Daily Threshold (pounds)***	***Project Emissions (max pounds/day)***	***Significant?***
Oxides of Nitrogen (NOx)	*54*	*45.9*	*No*
Reactive Organic Gasses (ROGs)	*54*	*5.4*	*No*
Exhaust Particulate Matter (PM10)	*82*	*2.3*	*No*
Exhaust Particulate Matter (PM2.5)	*54*	*2.1*	*No*

Source: BAAQMD CEQA Air Quality Guidelines, Updated May 2017.

The design for Project construction includes applying water to disturbed surfaces as needed to control dust (see Section 3.4 in Appendix A), and this control measure is reflected in the CalEEMod results in the table above. Consistent with BAAQMD guidelines (BAAQMD, 2012), unstabilized surfaces would be watered two times per day if needed. A nontoxic dust palliative may also be used. Furthermore, pursuant to the City Grading Ordinance (Section 15.88.060) during grading, all graded surfaces and materials are required to be wetted, protected or otherwise contained in such a manner as to prevent any nuisance from dust or spillage upon adjoining streets, and equipment and material on the site must be used in such a manner as to avoid excessive dust. Additional measures that would be implemented during construction to conform with grading ordinance requirements for dust control include: stabilizing disturbed surfaces as soon as practical; covering haul trucks transporting soil,

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

sand or other loose materials offsite; use of BMPs to minimize track-out; and implementing a 15 mile per hour speed limit for unstabilized roadways.

Crushed rock would be used to stabilize road surfaces as needed for to meet CCCFPD requirements, and areas that are not graveled or occupied by foundations would be stabilized by re-vegetation, application of a non-toxic soil binder, or other means of stabilization (see Section 3.2 and Preliminary Design Drawings in Appendix A). The design for Project construction includes applying water to disturbed surfaces as needed to control dust. The following requirements as set forth in Title 13 of the California Code of Regulations for diesel-fueled construction equipment would additionally help to ensure that emission levels during construction do not conflict with or obstruct implementation of BAAQMD's air quality plans:

- *Individual diesel truck idling in excess of five consecutive minutes would be prohibited consistent with Title 13 of the California Code of Regulations §2485.*
- *Diesel-power construction equipment would use low-sulfur diesel fuel pursuant to requirements of Title 13 of the California Code of Regulations §2281.*

Construction emissions are temporary and significance thresholds are based on peak daily emissions. Peak daily emissions for the proposed Project would occur during grading when diesel fuel-burning heavy earthmoving equipment is being used. It is estimated that Site grading and preparation would require the following equipment:

TYPE	*QUANTITY*
Bulldozer (e.g., CAT D7)	*1*
Grader (e.g., CAT D7)	*1*
Scraper (15-30 CY)	*2*
Water Truck (3,000- 5,000 gal)	*1*
Self-Propelled Compactor	*1*
Dump Truck	*1*
Tractor/Loader/Backhoe (e.g., Case 590)	*1*
Bobcat	*1*

The Project site has been previously graded and is nearly flat. Estimated grading quantities are provided on Sheet C-1 in the Preliminary Site Plans. The estimated construction emissions are below significance thresholds. Therefore, it is concluded that construction emissions from the proposed project would be below significance thresholds. A summary of the CalEEMod input and output is provided in Appendix B.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☑	☐

Less than Significant Impact: *As described in Response IIIa, construction emissions would be temporary and would not exceed construction-related significance thresholds. Further, the Project would not add residential units or be growth-inducing. The Project would not diminish an existing air quality rule or future compliance requirement. As a result, the Project would*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
not violate any applicable federal or state air quality standard or contribute substantially to an existing or projected air quality violation. Therefore, the impact would be less than significant.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors*)?*	☐	☐	☑	☐
Less than Significant Impact: *BAAQMD is state and/or federal nonattainment for ozone and fine particulate matter (PM-2.5) and state nonattainment for coarse particulate matter (PM-10). Operation of the proposed Project would not generate notable particulate emissions. The particulate emissions from periodic Site visits would be too negligible to result in a cumulative net increase in PM-10 or PM-2.5 concentrations. Construction emissions would not exceed construction-related significance thresholds. These thresholds were designed to establish the level at which the BAAQMD believes emissions could cause significant environmental impacts under CEQA when considered in conjunction with other sources. The proposed Project would not conflict with any air quality plan or regulation. Considering these factors, the proposed Project would not result in a cumulatively considerable net increase of any non-attainment criteria pollutant. Therefore, the impact would be less than significant.*				
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☑	☐
Less than Significant Impact: *Sensitive receptors are land uses that include members of the population that are particularly sensitive to the effects of air pollution such as children and the elderly and people with illnesses. Examples include residences, hospitals, schools, or convalescent homes. The nearest sensitive receptor is a residential community located east of the Site. The proposed Project would operate without pollutant emissions. Construction emissions would be less than significant as described in Response IIIa above. Considering these factors, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, the impact would be less than significant.*				
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐
Less than Significant Impact: *Project operations would not be a source of odors. Diesel engine emissions during construction may be a potential source of odor, primarily during grading. However, emissions from grading and other construction emissions would be short-term and separation between offsite receptors and diesel fuel burning equipment on the site would result in dissipation of exhaust emissions so that, if odors are detectable offsite, they would not be substantial. Operation of the proposed Project would not be a source of odor emissions. Considering these factors, if odor is detectable offsite, any impact would be less than significant.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☑	☐	☐

Less than Significant With Mitigation Incorporated: *Except for a portion of the tie-line West Alignment, if used, the Project would be located on lands that are 100 percent disturbed and comprised primarily of non-native grassland and urban features that do not provide important habitat for any sensitive species. The Applicant completed a planning survey report to support the Application for coverage under the HCP/NCCP and proposes to comply with the HCP/NCCP for Project features within the HCP/NCCP area including mitigation fees for non-native grassland, and pre-construction surveys for burrowing owl, Swainson's hawk, Golden Eagle and other nesting birds. The portion of the tie-line West Alignment that is outside of the HCP/NCCP area is north of Willow Pass Road (Figure 5) where the ground surface is low and comprised of grassland and wetlands.*

A search of the CNDDB and IPaC databases was conducted to evaluate the potential for occurrence of protected species for the West Alignment as well as the grassland and urbanized areas of the Project footprint. Together, the CNDDB and IPaC databases indicated that 14 special status plant and 24 special status wildlife species have been recorded within a three-mile radius (Appendix C). Based on evaluation of habitat needs and habitats present at or adjacent to Project features, it was determined that none of these species are likely to occur within or adjacent to the Project footprint, except for where the West Alignment is located north of Willow Pass Road. Disturbance along this alignment could include up to 0.38 acre of long-term disturbance and an additional 1.09 acres of short-term (construction) disturbance in possible wetlands, all outside of the HCP/NCCP boundaries. In short term disturbance areas the surface would be stabilized by returning the disturbance to approximate pre-construction conditions. In the low lying portion of the West Alignment, six special status plant species and three special status wildlife species were determined to have at least a moderate potential to occur, as shown in following tables. Pittsburg and surrounding areas are broadly mapped as critical habitat for the Delta smelt. No aspect of the Project is expected to directly or indirectly impact waters providing Delta smelt habitat. Best Management Practices (BMP) measures required during construction under the State General Permit would protect water quality and prevent indirect impacts to this species.

SPECIAL STATUS PLANT SPECIES WITH MODERATE OR GREATER POTENTIAL FOR OCCURRENCE ON OR ADJACENT TO THE WEST ALIGNMENT

Scientific Name **Common Name**	**Status**		**Habitat Requirements**	**Potential for Occurrence**
Chloropyron molle ssp. *molle* Soft salty bird's-beak	Fed: CA: CNPS/CRPR:	FE SR 1B.2	Hemiparasitic annual herb. Habitat includes coastal salt marshes and swamps. Blooms June-November. Elevation 0-3 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Cicuta maculata var. *bolanderi* Bolander's water hemlock	Fed: CA: CNPS/CRPR:	None None 2B.1	Perennial herb. Habitat includes marshes and swamps with coastal, fresh, or brackish water. Blooms July-September. Elevation 0-200 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat of within the typical elevation range of this species.
Lathyrus jepsonii var. *jepsonii* Delta tule pea	Fed: CA: CNPS/CRPR:	None None 1B.2	Perennial herb. Habitat includes marshes and swamps with fresh or brackish water. Blooms May-July (August-September). Elevation 0-5 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Limosella australis Delta mudwort	Fed: CA: CNPS/CRPR:	None None 2B.1	Perennial stoloniferous herb. Habitat usually mud banks. Also found in riparian scrub, and marshes and swamps with fresh or brackish waters. Blooms May-August. Elevation 0-3 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Lilaeopsis masonii Mason's lilaeopsis	Fed: CA: CNPS/CRPR:	None SR 1B.1	Perennial rhizomatous herb. Habitat is marshes and swamps with fresh or brackish water, and riparian scrub. Blooms April-November. Elevation 0-10 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Symphyotrichum lentum Suisun marsh aster	Fed: CA: CNPS/CRPR:	None None 1B.2	Perennial rhizomatous herb. Habitat is marshes and swamps with fresh or brackish water. Blooms (April) May-November. Elevation 0-3 meters.	**Moderate Potential**: The project area may be within marsh or wetland habitat of within the typical elevation range of this species.

Federal Designations:
FE = Federal Endangered
FT=Federal Threatened
FC=Candidate for Federal Listing
BCC = USFWS Bird of Conservation Concern

California Rare Plant Ranks (CRPR):
1A: Presumed extirpated in California and rare or extinct elsewhere
1B: Rare, threatened, or endangered in California and elsewhere
2A: Presumed extirpated in California, but more common elsewhere
2B: Rare, threatened, or endangered in California, but more common elsewhere
3: Review list of plants requiring more study
4: Watch list of plants of limited distribution

CA State Designations:
SE=State Endangered
ST= State Threatened
SR = State Rare
SFP = State-Fully Protected
SSC= Species of Special Concern
WL = Watch List Species

California Native Plant Society (CNPS) Threat Code:
.1: Seriously threatened in California
.2: Moderately threatened in California
.3: Not very threatened in California

SPECIAL STATUS WILDLIFE SPECIES WITH MODERATE OR GREATER POTENTIAL FOR OCCURRENCE ON OR ADJACENT TO THE WEST ALIGNMENT

Scientific Name Common Name	Status		Habitat Requirements	Potential for Occurrence
Actinemys marmorata Western pond turtle	Fed: CA:	None SSC	Found in slow moving streams, lakes, ponds, and wetlands.	**Moderate Potential**: The project area may include marsh or wetland habitat suitable for this species.
Melospiza melodia maxillaris Suisun song sparrow	Fed: CA:	BCC SSC	Found in the brackish-marsh waters of Suisun Bay. Utilize a matrix of emergent vegetation including bulrush and cattails.	**Moderate Potential**: The project area may include marsh or wetland habitat similar to locations of known occurrences in the vicinity.
Reithrodontomys raviventris Salt-marsh harvest mouse	Fed: CA:	E E; SFP	Found in saline emergent wetlands of San Francisco Bay. Require salt marsh vegetation, primarily pickleweed. Nest in grasses, or utilize abandoned bird nests. Known population adjacent to project area.	**Moderate Potential**: The project area may include marsh or wetland habitat similar to a nearby area with a known SMHM population.
Federal Designations FE = Federal Endangered FT=Federal Threatened FC=Candidate for Federal Listing BCC = USFWS Bird of Conservation Concern				**State Designations:** SE=State Endangered ST= State Threatened SFP = State-Fully Protected SSC= Species of Special Concern WL = Watch List Species

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Of the six special status plant species determined to have a moderate potential to occur, the soft salty bird's beak is the only federally protected species. This plant's habitat includes coastal salt marshes and swamps at elevations of 0 to 3 meters and there are known occurrences within three miles of the Project. The soft salty bird's beak and Mason's lilaeopsis both have State Rare status. Bowlander's water hemlock, Delta tule pea, Delta mudwort and Suisun marsh aster are not protected under the federal or State Endangered Species Acts but are ranked by CNPS as shown. Any of these species are estimated to have a moderate probability to occur in the vicinity of the West Alignment since these species can occur in similar swampy areas and conditions. If the West Alignment is used, the Project could impact these species, if present, through direct disturbance for construction of tie-line structures, access and stringing. If these species are present, the impact of direct disturbance could be significant. However, Mitigation Measure BIO-1 would limit the potential for impact to these species to a less than significant level. The tie-line, by the nature of its design, can have support structure locations modified if needed and, therefore, it is expected that sensitive plants could be avoided or mitigated to a level that is less than significant by				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

implementation of BIO-1.

Of the three special status animal species determined to have a moderate potential to occur, the salt-marsh harvest mouse is the only federally protected species and is Endangered under the federal ESA. This species habitat includes wetlands and marsh vegetation and there are known occurrences within three miles of the Project in terrain similar to that which would be traversed by the West Alignment, if used. The salt-marsh harvest mouse also is Endangered under the State ESA and is designated as a State Fully Protected Species meaning that the State cannot issue a Take permit or otherwise authorize a development project to Take any individual. If the West Alignment is used, the Project could impact this species, if present, through direct disturbance for construction of tie-line structures, access and stringing, and through potential direct impacts from infrequent maintenance vehicle traffic. If this species is present, the impacts of direct disturbance and Project maintenance traffic could result in Take of individuals, which would be significant. However, Mitigation Measure BIO-2 would limit the potential for impact to this species to a less than significant level. The tie-line, by the nature of its design, can have support structure locations modified if needed and, therefore, it is expected that this species could be avoided or mitigated to a level that is less than significant by implementation of BIO-2.

The Suisun song sparrow is a USFWS Bird of Conservation Concern and a State Species of Special Concern. The Project could have the potential to impact this species if the West Alignment is used. The primary impact would be the potential for nest disruption during nesting season. The Project Description commits to pre-construction nesting bird surveys completed by a qualified biologist within 14 days prior to ground disturbance if construction would start during the nesting season (February 1-August 31), and avoidance of active nests with implementation of a buffer zone (see Section 3.4 in Appendix A). Work would not occur in the buffer zone until the biologist determines that the nest is inactive. The extent of the buffers would be based on consideration of the anticipated levels of noise or disturbance, ambient level of noise and other disturbance, if the species is present, and topographic or other barriers. These measures for avoiding impacts to active nests would limit the potential for impact to the Suisun song sparrow to a less than significant level.

The Western pond turtle is not federally protected. It is a State Species of Special Concern. If the West Alignment is used, the Project could impact this species, if present, through direct disturbance for construction of tie-line structures, access and stringing, and through potential direct impacts from infrequent maintenance vehicle traffic. If this species is present, the impacts of direct disturbance and Project maintenance traffic could result in loss of individuals, which could be significant. However, Mitigation Measure BIO-3 would limit the potential for impact to this species to a less than significant level. It is expected that this species could be avoided or mitigated to a level that is less than significant by implementation of BIO-3.

Mitigation Measure BIO-1:
If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Applicant shall provide biological, wetlands and jurisdictional waters survey reports accompanying the final tie-line design demonstrating that facilities and access are

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

designed to minimize disturbance to sensitive plants to the extent practical for safe and efficient construction. Reports provided by the Applicant shall be prepared by qualified professionals and shall address federal and state jurisdictional waters and potential for occurrence of Soft salty bird's-beak, Bolander's water hemlock, Delta tule pea, Delta mudwort, Mason's lilaeopsis, Suisun marsh aster based on pedestrian transect surveys for the portion of the West Alignment north of Willow Pass Road including final access routes. The project shall be designed to avoid direct impact to soft salty bird's beak and Mason's lilaeopsis, as well as Bolander's water hemlock, Delta tule pea, Delta mudwort, and Suisun marsh aster. If direct impact to soft salty bird's beak and Mason's lilaeopsis cannot be practically avoided, then the applicant shall consult with USFWS and CDFW to develop a plan for transplanting affected individuals to an appropriate adjacent location. The plan shall be subject to review by USFWS and CDFW and approval by the City prior to issuance of grading or building permits for the tie-line. If direct impact to Bolander's water hemlock, Delta tule pea, Delta mudwort, or Suisun marsh aster cannot be practically avoided, then the applicant shall submit a plan to the City for transplanting, restoring, or preserving these species including success criteria to offset individuals lost at a ratio of no less than 1:1, and shall obtain approval of the plan from the City prior to issuance of grading or building permits for the tie-line. Project construction shall be monitored by a qualified biologist where construction work is within or adjacent to federal or state jurisdictional waters or wetlands, or locations with State or federally listed plants or State Rare plants. Material revisions to the selected final tie-line alignment routing and structure locations shown and described in the Applicant's Project Description shall be subject to approval by the Planning Manager.

Mitigation Measure BIO-2:
If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Applicant shall provide a biological survey report prepared by a qualified professional accompanying the final tie-line design addressing potential for occurrence of salt-marsh harvest mouse. The project shall be designed to avoid any Take of salt-marsh harvest mouse under the State ESA. If impact to salt-marsh harvest mouse habitat cannot be practically avoided, then the applicant shall develop a plan for construction to ensure no State ESA Take during construction, and for restoring or preserving habitat for this species at an area ratio of no less than 3 to 1. The plan shall be subject to review by USFWS and CDFW and approval by the City prior to issuance of grading or building permits for the tie-line.

Mitigation Measure BIO-3:
If the tie-line West Alignment is used, a qualified biologist shall conduct a pre-construction survey for western pond turtles no more than 30 days prior to construction in suitable aquatic habitats in and adjacent to the West Alignment work area. A combination of visual and trapping surveys may be performed with authorization from the California Department of Fish and Wildlife. If the species is found near any proposed construction areas, impacts on individuals and their habitat shall be avoided to the extent feasible. If occupied habitat can be avoided, an exclusion zone shall be established around the habitat and clearly marked with temporary fencing for avoidance during construction. If avoidance is not possible and the species is determined to be present in work areas, the biologist with approval from CDFW may capture turtles prior to construction activities and relocate them to nearby, suitable habitat a minimum of 300 feet from the work area. Exclusion fencing should then be installed

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
if feasible to prevent turtles from reentering the work area. Project construction shall be monitored by a qualified biologist where construction work is within or adjacent to occupied western pond turtle habitat. *Considering the above factors, with implementation of Mitigation Measures BIO-1, -2, and -3, the Project would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Therefore, the impact would be less than significant with mitigation.*				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☑	☐	☐
Less than Significant With Mitigation Incorporated: *Except for a portion of tie-line West Alignment, if used, the Project would be located on lands that are 100 percent disturbed and comprised primarily of non-native grassland and urban features without riparian or other sensitive habitat. The exception is the portion of the tie-line West Alignment that is north of Willow Pass Road (see Figure 5), which is low lying and includes wetland areas. Terrain in this area has been assessed from biology and wetland delineation reports covering portions of the West Alignment and nearby lands and from aerial imagery, with visual confirmation from public rights-of-way due to access limitations. The final design for the West Alignment, if used, including structure locations, pull-site locations, and access, would be developed with a wetland delineation report to delineate wetland presence, minimize impacts on wetlands to the extent practical for safe and efficient construction, and precisely calculate the area of disturbed wetland and riparian habitat. Based on preliminary engineering and evaluations, the Project Description estimates up to 0.38 acre of long-term wetland disturbance and an additional approximately 1.09 acres of short-term wetland disturbance for construction. The Applicant's Project Description commits to temporary tie-line construction disturbances being returned to approximate pre-construction conditions (See Section 3.5 in Appendix A). Direct disturbance to wetlands or riparian vegetation would be significant if not mitigated. Because estimated areas of wetland disturbance are based on preliminary engineering and evaluations, it is possible that marginally higher disturbance area could be found necessary once final designs and evaluations are completed. Mitigation Measure BIO-4 would limit impacts to wetlands and riparian vegetation to a less than significant level.* ***Mitigation Measure BIO-4:*** *If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Applicant shall provide a wetlands and jurisdictional waters survey report accompanying the final tie-line design to demonstrate that facilities and access are designed to minimize disturbance to waters and wetlands to the extent practical for safe and efficient construction, and to precisely calculate the area of disturbed wetland and riparian habitat. Reports provided by the Applicant shall be prepared by a qualified professional and shall*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
delineate federal and state jurisdictional waters and wetlands, including verification by USACE for federal wetlands, if present. If disturbance to waters of the US and the state including wetlands cannot be avoided, then such disturbance shall not exceed 0.5 acre long term plus 1.3 acres of short term disturbance, and the Applicant shall obtain required authorizations from USACE and CDFW prior to construction. Disturbances to wetlands or riparian vegetation shall be mitigated at a ratio of no less than 3:1 for long term impacts. *With the 3:1 mitigation of long term impacts to wetlands or riparian vegetation pursuant to Mitigation Measure BIO-4, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. Therefore, the impact would be less than significant with mitigation.*				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☑	☐	☐
Less than Significant With Mitigation Incorporated: *Except for a portion of tie-line West Alignment, if used, the Project would be located on lands that are 100 percent disturbed and comprised primarily of non-native grassland and urban features without wetlands or other sensitive habitat. The exception is the portion of the tie-line West Alignment that is north of Willow Pass Road, which is low lying and includes wetland areas. Terrain in this area has been assessed from biology and wetland delineation reports covering portions of the West Alignment and nearby lands and from aerial imagery, with visual confirmation from public rights-of-way due to access limitations. The final design for the West Alignment, if used, including structure locations, pull-site locations and access, would be developed with a wetland delineation report to confirm wetland presence, minimize impacts on wetlands to the extent practical for safe and efficient construction, and precisely calculate the area of disturbed wetland. The Project Description estimates up to 0.38 acre of long-term wetland disturbance and an additional approximately 1.09 acres of short-term wetland disturbance for construction. The Applicant's Project Description commits to temporary tie-line construction disturbances being returned to approximate pre-construction conditions (See Section 3.5 in Appendix A). Direct disturbance to wetlands would be significant if not mitigated. Because estimated areas of wetland disturbance are based on preliminary engineering and evaluations, it is possible that marginally higher disturbance area could be found necessary once final designs and evaluations are completed. Mitigation Measure BIO-4, if implemented, would limit impacts to wetlands vegetation to a less than significant level.* *With the 3:1 mitigation of long term impacts to wetlands pursuant to Mitigation Measure BIO-4, the Project would not have a substantial adverse effect on any* federally protected wetlands as defined by Section 404 of the Clean Water Act. Therefore, the impact would be less than significant with mitigation.				
d) Interfere substantially with the				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☑	☐
Less Than Significant Impact: *The Project is an infill building project located in an urbanized area, with the exception of the tie-line West Alternative if used. No aspect of the Project would interfere with movement of native resident or migratory fish or wildlife species or with native or migratory wildlife corridors or impede the use of native wildlife nursery sites. The tie-line West Alternative is the only possible Project feature that could occur in an area potentially providing a wildlife migratory corridor or native wildlife nursery site. Construction of the tie-line West Alternative could disrupt wildlife migration due to noise and human presence but such disruption would be short-term in any given area and not expected to substantially interfere with wildlife movement. Preconstruction nesting bird surveys and avoidance of active nests are measures included in the Applicant's Project Description (see Section 3.4 in Appendix B) and would ensure that active nests are not adversely affected. The tie-line West Alternative, if used, would be collocated with an existing major high-voltage transmission corridor and would not have any material effect on wildlife movement compared to existing conditions.* *Considering these factors, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Therefore, the impact would be less than significant.*				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☑
The Project does not propose removal of any tree protected by ordinance or policy. The Project would not conflict with any local policy or ordinance protecting biological resources.				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☑	☐	☐
The Applicant has submitted an application for coverage under HCP/NCCP and proposes to comply with the HCP/NCCP for Project features within the HCP/NCCP area including mitigation fees for non-native grassland, and pre-construction surveys for burrowing owl, Swainson's hawk, Golden Eagle and other nesting birds (See Section 3.4 in Appendix A). Mitigation Measure BIO-5 would ensure that mitigation fees are paid consistent with HCP/NCCP requirements. ***Mitigation Measure BIO-5:*** *The Applicant shall pay HCP/NCCP mitigation fees consistent with HCP/NCCP requirements. If development is phased, such fees shall be paid prior to issuance of a grading permit for*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
acreage to be disturbed in such phase.				
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?	☐	☑	☐	☐
Less than Significant Impact With Mitigation Incorporated: *A cultural resource records search was conducted through the CHRIS Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition, there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known historic sites within the proposed Project Site or electric tie-line routes. The Project Site is currently vacant with no structures and the majority of the Site is covered by several feet or more of fill dirt. Review of historic aerial photographs from Google Earth imagery shows that the Site was undeveloped prior to placement of fill. Therefore, no historical resources are known to be present and the presence of potential unknown resources is unlikely. Considering these factors, Site development would not change the significance of any historical resource. The electric tie-line routes each are located within and adjacent to an existing power plant site and oil tank farm site and an existing high voltage transmission corridor. The tie-line alignments were not surveyed for potential historic resources for this analysis. However, by its nature, the overhead electric tie line would result in little ground disturbance and, if historic structures or resources were to be present, pole locations could be adjusted to avoid such resources. Furthermore, given the existing industrial setting of the tie-line corridor, if historic structures or resources were to be present on or adjacent to the tie-line corridor, the presence of the tie-line would not result in a substantial adverse change in their significance. Considering these factors, Mitigation Measure CUL-1, if adopted, would ensure that the electric tie-line would not cause a substantial adverse change in the significance of any historical resource.* ***Mitigation Measure CUL-1:*** *Prior to issuance of a grading permit, the Applicant shall provide the City with a historical resources survey report prepared by a professional meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR 61) for the electric tie-line easement. If the survey identifies potentially significant cultural resources within the electric tie-line easement, then a tie-line design shall be provided to the City for approval prior to issuance of a grading permit that demonstrates either: (1) no significant resource would be disturbed by tie-line construction; or (2) any significant resource that cannot be practically avoided would be mitigated through photo-documentation and archival research by a qualified historic archaeologist or architectural historian.*				
b) Cause a substantial adverse change in the significance of an archaeological	☐	☑	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
resource pursuant to section 15064.5?				

Less than Significant Impact With Mitigation Incorporated: *A cultural resource records search was conducted through the California Historical Resources Information System (CHRIS) Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition, there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known archaeological sites within the proposed Project Site or electric tie-line route and that there are no known prehistoric archaeological sites within a one-half mile radius of the Project. A search of the Native American Heritage Commission (NAHC) Sacred Lands File failed to indicate the presence of Native American cultural resources in the Project area. Considering the results of the records search, previous surveys of portions of the Project Area, and NAHC response, there are no known archaeological resources on the Project Site or the potential electric tie-line alignments. The Site is currently vacant with no structures and most of the Site is covered by several feet or more of fill dirt. The West, Middle and East tie-line alignments have been graded by past development including that associated with the existing tank farms, a rail spur, access roads, the existing PG&E switchyard that the tie-line would extend to, and Willow Pass Road that the tie-line would cross. Considering the high degree of disturbance and grading that has occurred at these locations, the ground has been modified such that little or no evidence of preindustrial human cultural activities and/or occupation is likely to remain. Therefore, a ground survey was not conducted for this analysis and would be unlikely to be of any value. Based on aerial imagery analysis, disturbances for the West Alignment if used, could have some areas with more limited disturbance. Mitigation Measure CUL-2, if adopted, would ensure impacts are mitigated to a less than significant level in the event that unknown cultural resources are encountered during construction. Section XVIII of this Initial Study further discusses potential Native American Cultural Resources and the City's outreach to Tribes for input to the environmental review process.*

Mitigation Measure CUL-2: *Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be trained and instructed by a representative of the Applicant or its contractor to be observant for the potential occurrence of archaeological resources in the geologic materials encountered, and shall be instructed and authorized to halt excavation in the area immediately and notify the Project Applicant's representative if such resources are discovered. In the event of a discovery, the Applicant or Applicant's representative shall promptly notify the City and work in the area shall cease until the discovery is evaluated by a qualified cultural resource specialist. If evaluation by a qualified cultural resource specialist indicates that the discovery may be significant, then excavation in the area shall be continued only as directed by a qualified cultural resource specialist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project, including development of a Research Design and Data Recovery Program if needed to mitigate impacts. If cultural artifacts are collected they shall be cataloged and curated with an*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
appropriate institution. A final monitoring report shall be prepared and submitted to the City if significant cultural resources are discovered.				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☑	☐	☐
Less than Significant Impact With Mitigation Incorporated: *The Project area is relatively flat terrain with no unique geologic features. The native geological materials beneath the Site are mapped as late Pleistocene alluvium (Helley and Lajoie, 1979). These deposits are about 11,500 years old and older and contain late Pleistocene vertebrate and invertebrate fossil faunas. This geologic unit is widespread at low elevations in the San Francisco Bay region and in places can contain localized accumulations of freshwater gastropod (snail) and pelecypods (bivalve mollusc) fossils, and terrestrial vertebrate fossils including camel, bison, horse, sloth and mammoth. While fossils of this age could potentially occur in the native geologic unit that underlies the Site and could potentially be important for their uniqueness and scientific value, it is unlikely that any such fossils would be disturbed by the Project because the Site is almost entirely covered with several feet or more of fill dirt. Construction of Site facilities would include grading, over-excavation and trenching primarily within fill and not substantially penetrate the native geologic material underlying the fill. If excavations do penetrate the natural geologic materials beneath the Site, Mitigation Measure CUL-3, would ensure that unique or scientific values of important fossils are recovered, limiting the potential for impact to a less than significant level.* *The electric tie-line routes occur on engineered soils and lands mapped as Holocene bay mud deposits (Helley and Lajoie, 1979). The oldest deposits of this unit have been dated at about 9,600 years. These materials are known to include locations with fossils of fresh and brackish water gastropods and pelecypods, including molluscian species introduced by humans since the 1800s. These materials are too geologically young to contain unique or important fossils. Therefore, the tie-line would not have the potential to destroy unique paleontological resource.* ***Mitigation Measure CUL-3:*** *Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be trained and instructed by a representative of the Applicant or its contractor to be observant for the potential occurrence of paleontological resources when excavating on the Site beneath the depth of existing fill, and shall be instructed and authorized to halt excavation in the area immediately and notify the Project Applicant's representative if vertebrate fossils are discovered. In the event of a discovery, the Applicant or Applicant's representative shall promptly notify the City and work in the area shall cease until the discovery is evaluated by a qualified paleontologist. If evaluation by a qualified paleontologist indicates that the discovery may be significant, then excavation in the area shall be continued only as directed by a qualified paleontologist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project. If significant fossils are collected they shall be cataloged and curated with an appropriate institution. A final monitoring report shall be prepared and submitted to the City if significant fossils are discovered.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☑	☐	☐
Less than Significant Impact With Mitigation Incorporated: *A cultural resource records search was conducted through the CHRIS Northwest Information Center and did not indicate any known burials within one-half mile of the Project area. A search of the NAHC Sacred Lands File failed to indicate the presence of Native American sacred lands in the area. The Site and most of the tie-line alignments are 100 % disturbed and the Site is almost entirely covered with several feet or more of fill dirt. Given that there are no records of Native American sacred lands in the area, no evidence of human remains at the Site, and the area is so heavily disturbed, no impact to human remains is anticipated. Mitigation Measure CUL-4 would ensure that impacts are mitigated to a less than significant level in the event that human remains are encountered unexpectedly during construction.* ***Mitigation Measure CUL-4:*** *Construction shift foremen, excavation equipment operators and other construction workers shall be trained and instructed by a representative of the Applicant or its contractor to halt work immediately if human remains are observed in the geologic materials encountered. In the event of a discovery, the County coroner shall be notified immediately and work in the area shall cease until the discovery is evaluated and removed in accordance with applicable laws and requirements.*				
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☑
No Impact: *The Project location does not occur in any Alquist-Priolo earthquake fault zone nor does it occur on or cross any known active fault (California Department of Conservation, 2017). Therefore, the Project would have no impact associated with fault rupture. The closest active fault is the Clayton segment of the Clayton-Marsh Creek-Greenville Fault, located approximately four miles southwest of the Site (Jennings and Bryant, 2010).*				
ii) Strong seismic ground shaking?	☐	☐	☑	☐
Less than Significant Impact: *The Coast Ranges mountains that occur southwest of the Site are dissected by a number of regional fault zones associated with the overall San Andreas fault system demarking the intersection of the North American and Pacific tectonic plates. As described in Response (a)(i) above, the closest active fault is the Clayton segment*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
of Clayton-Marsh Creek-Greenville Fault, located approximately four miles southwest of the Site. Other major faults in the region include the Green Valley/Concord Fault (approximately eight miles west), Calaveras Fault (approximately15 miles west), Rogers Creek Fault Zone (approximately 25 miles west), Hayward Fault Zone (approximately 20 miles southwest), and the San Andreas Fault Zone (approximately 40 miles southwest) (Jennings and Bryant, 2010). Deeply buried low angle thrust faults such as the Mount Diablo Thrust Fault also can cause earthquakes in the region. Strong ground motions could occur in the vicinity of the proposed Project from an earthquake on any of these or other regional faults. Strong seismic ground shaking would be a potentially substantial seismic hazard if structures are not appropriately designed. The potential for seismic ground motions to damage structures is typically mitigated through proper design and construction to withstand predicted ground motions. The California Building Code seismic standards are designed to mitigate the potential for people or structures to be exposed to substantial risks from seismically-induced ground motions. Conformance with this code would be assured through the Building Permit process of the City of Pittsburg. Adherence to California Building Code requirements would limit the risk of damage or injury from seismic ground shaking to level that is less than significant.				
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
Less than Significant Impact: *Liquefaction can occur when there is a loss of shear strength in saturated granular soils cause by seismically-induced pore water pressures. The loss of shear strength in soils can reduce the ability of the soil to support overlying loads, such as equipment foundations. If liquefaction occurs, the surface structures may settle into the ground or tilt. The liquefaction potential of a site is dependent on characteristics of ground shaking, soil type, soil density, and depth-to- groundwater. The Site is situated in the lowland zone of Pittsburg where shallow geology consists of geologically young unconsolidated sediments and groundwater is relatively shallow. Portions off the potential electric tie-line routes are located within the High Liquefaction Potential hazard area identified in the General Plan. The Site is located outside of the High Liquefaction Potential hazard area identified in the General Plan. The High Liquefaction Potential hazard area identified in the General Plan is based on a regional study performed by the Bay Area Association of Governments published in 1980. A more recent preliminary regional study by the U.S. Geological Survey has identified the potential for liquefaction in the Project area to be high to very high (Knudsen, et al., 2000). This regional study is not based on site-specific information. California Building Code Section 1803.2 would require that a geotechnical investigation be prepared and provided to the City Engineering Division for the proposed Project that would be required to address the potential for liquefaction and identify measures such as appropriate foundation design, structural systems and ground stabilization measures to limit potential liquefaction impacts on Project structures. The California Building Code would require that recommendations of the geotechnical report be incorporated into the final Project design to limit potential liquefaction impacts. The California Building Code is written and administered to preserve and protect public health and safety consistent with State and nationally recognized standards (24 CCR 18941). Compliance with these established requirements would limit the potential for impact to a less than significant level.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
The Project does not propose any structure for human occupancy. Therefore, there would not be a significant risk to people in the event of seismically induced liquefaction. Considering that the proposed facilities would typically be unattended and include no occupied structures, and considering that Project structures would be designed in accordance with recommendations of a geotechnical investigation to limit impacts of liquefaction, the risk of liquefaction to expose people or structures to substantial adverse effects does not pose a significant risk to human health or the environment. Therefore, the risk of liquefaction exposing people or structures to potential substantial adverse effects is less than significant.				
iv) Landslides?	☐	☐	☐	☑
No Impact: *The Project area is nearly flat-lying. There are no substantial slopes in the Project area that could result in a landslide hazard.*				
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☑	☐
Less Than Significant Impact: *The Project Site and most of the tie-line potential alignments have been previously graded and covered with fill. In addition, the Project area is nearly flat-lying limiting the potential for soil erosion. Construction would occur under the State General Permit with a SWPPP implementing BMPs for erosion control. The General Permit would require that a construction SWPPP be prepared by a Qualified SWPPP Developer and implemented by a Qualified SWPPP Practitioner (QSP). Standard BMPs from the California Stormwater Quality Association (CASQA, 2015) or their equivalents would be required such as scheduling to minimize the term of disturbances (Standard BMP EC-1), Preservation of Existing Vegetation (Standard BMP EC-2), stabilization of disturbed surfaces (Standard BMPs EC-3 through -7), and use of silt fences (Standard BMP SE-1). The SWPPP would be required to address erosion control until it is demonstrated to the Regional Water Quality Control Board that disturbed surfaces are stabilized and a Notice of Termination is accepted. With construction occurring in compliance with the State General Permit, the proposed Project would not result in substantial soil erosion. Considering that the Site is disturbed and covered with fill and that erosion would be controlled in accordance with requirements of the State General Permit, the proposed Project would not result in substantial erosion or loss of topsoil. Therefore, erosion and loss of topsoil impacts would be less than significant.*				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☑	☐
Less than Significant Impact: *The potential for liquefaction is addressed in Response (a)(iii), above. The proposed Project would not affect or be affected by any other aspect of geologic unit instability including the potential for landslides, lateral spreading, subsidence or collapse. The Project area is relatively flat and proposed grading would not result in any substantial slopes (refer to Conceptual Grading Plan in Sheet C-1 of Attachment 2).*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Therefore, the Project does not have the potential to result in landslides. Lateral spreading is a phenomenon that can occur from seismic shaking or other lateral loading when the ground surface is not laterally supported on one or more sides, for example, on ridge tops or near edges of terraces or cliff faces. The Project area does not have slopes or other laterally unsupported conditions susceptible to lateral spreading. Soil collapse occurs when loosely compacted soils are disturbed by seismic shaking, rewetting, or other activities. California Building Code Section 1803.2 would require that a geotechnical investigation be prepared and provided to the City Engineering Division for the proposed Project that would be required to address potential geologic hazards, including potential for soil collapse, and identify measures such as appropriate foundation design, structural systems and ground stabilization measures to limit potential for impacts on Project structures. The California Building Code would require that recommendations of the geotechnical report be incorporated into the final Project design to limit potential liquefaction impacts. Implementation of recommendations from the geotechnical report for potential soil collapse, if needed, are required to be implemented into the Project final design. Subsidence can occur when pore pressures are reduced in unconsolidated geologic materials below a valley floor due to substantial fluid withdrawal. The Project does not involve substantial extraction of fluids from unconsolidated geologic deposits. Therefore, the Project does not have potential to create subsidence. Considering these factors, and excepting the potential for liquefaction as described in Response (a)(iii), above, the Project would not be located on an unstable geologic unit or cause a unit to become unstable. Therefore, the impact would be less than significant.				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☑	☐
Less than Significant Impact: *Soils in the Project area include Capay Clay (CaA), Clear Lake Clay (Cc) Omni silty Clay (Ob), Sycamore silty clay loam (So), and Joice muck (Ja)(U.S. Department of Agriculture, 2017). Based on average characteristics published by U.S. Department of Agriculture, some of these soils including Omni silty clay and Clear Lake clay may have expansive properties. California Building Code Section 1803.2 would require that a geotechnical investigation be prepared and provided to the City Engineering Division for the proposed Project that would be required to address potential geologic hazards, including potential expansive soil characteristics, and identify measures to limit potential for impacts on Project structures. The California Building Code would require that recommendations of the geotechnical report be incorporated into the final Project design. Implementation of recommendations from the geotechnical report in accordance with the California Building Code would effectively limit impacts of expansive soils to a level that would not pose a substantial hazard. Therefore, considering California Building Code requirements, the potential for adverse impacts from expansive soils is less then significant.*				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
No Impact: *The Project does not propose use of a septic tank or other wastewater disposal.*				
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☑	☐
Less than Significant Impact: *The proposed project would not generate GhG emissions, with the primary exception being CO2 that would be generated from vehicle and equipment emissions for construction and maintenance activities. Once constructed, the Project would provide a new and reliable means of capturing and managing energy from renewable energy projects such as solar generation and wind generation projects increasing the effectiveness of renewable energy technologies, thereby reducing the dependency on fossil fuel-produced electric energy, providing a long-term GhG benefit. Considering that construction emissions would be short-term and that the proposed Project would operate as an unoccupied facility with only occasional maintenance vehicle trips, GhG emissions would be less than significant both individually and cumulatively.*				
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☑
Less than Significant Impact: *The proposed project would not conflict with any applicable plan, policy, or regulation adopted to reduce GHG emissions. Once constructed, the Project would operate without GhG emissions with the exception of minor emissions from occasional maintenance vehicle trips. The Project could be used to store energy from renewable energy projects such as solar generation and wind generation projects, reducing the dependency on fossil fuel-produced electric energy and supporting the achievement of local, state and federal renewable energy goals directed at GhG reduction. The availability of the Project for this use may provide a long-term GhG benefit.*				
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐
Less than Significant Impact: *Construction would require the short-term transport, use and/or disposal of hazardous materials such as fuels, lubricants, adhesives, solvents and paints. Storage and use of hazardous materials onsite during construction could create a significant hazard to construction workers, the public or the environment if such materials are not properly contained. Construction would be required to occur under a comprehensive hazard communication program in accordance with 29 CFR 1910 to ensure that construction workers are knowledgeable in the identification and proper handling of hazardous materials to*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
prevent unsafe exposure and to avoid spills. Stormwater BMPs would be required under the State General Permit to prevent contact of hazardous materials with stormwater. Furthermore, the Site would not be open to the public. With these measures, the routine use of hazardous materials for construction would not create a significant hazard to the public or the environment. *Deliveries of bulk fuels, lubricants, batteries, and other hazardous materials to the Site would be subject to Department of Transportation (DOT) regulations at 49 CFR 172 and 173 for hazardous materials transport. These regulations include requirements for hazardous material transport licensing, packaging and containment standards, labeling, and other protection measures to prevent hazardous materials incidents during transport and to facilitate response in the event of a hazardous material accident. Hazardous wastes produced would be minimal and would be required to be transported away from the Site in accordance with these same DOT regulations as well as being managed at all times under requirements of California Code of Regulations Title 22 Division 4.5 for worker training, and storage, shipping and disposal of hazardous waste. With these existing regulations in place, and considering the short term of construction activities, the transport, production, and disposal of hazardous materials associated with facility construction would not create a significant hazard to the public or the environment.* *Operation of the proposed Project would not typically involve handling of hazardous materials. At the end of battery life, battery modules would be removed from the battery racks and returned to the manufacturer or their approved and permitted recycling partner(s) for dismantling, material processing and recovery. Oil that would be present in oil-filled transformers is not routinely handled. The transformers are operated normally closed and sealed. On infrequent occasions, oil in oil-filled transformers may require filtering or replacement if it becomes contaminated. If transformer oil needs to be replaced, the used oil would be recycled at a licensed offsite recycler. Management and transport of replacement batteries and oil, used batteries, and used oil would be subject to the same management and transportation regulations and requirements as described for construction above for safe handling, transport and recycling. With these existing regulations in place, the transport, production, and disposal of hazardous materials associated with facility operations would not create a significant hazard to the public or the environment.*				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☑	☐
Less than Significant Impact: *Construction would require the short-term use and transport of hazardous materials as described in Response (a), above. Construction would be required to occur under a comprehensive hazard communication program in accordance with 29 CFR 1910 to ensure that construction workers are knowledgeable in the identification and proper handling of hazardous materials to avoid spills or other upset conditions that could otherwise result in unsafe exposure. The general public would be excluded from the*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
construction Site. Transport of bulk fuels, lubricants, batteries, and other hazardous materials to the Site would be subject to Department of Transportation (DOT) regulations at 49 CFR 172 and 173 including requirements for hazardous material transport licensing, packaging and containment standards, labeling, and other protection measures to prevent hazardous materials incidents during transport and to facilitate response in the event of a hazardous material accident. Considering these factors, construction would not create a significant hazard to the public or the environment due to reasonably foreseeable upset or accident conditions. *Operation of the proposed Project would be subject to 19 CCR Division 2, Chapter 4 requirements to submit and maintain a Hazardous Materials Business Plan and would be subject to periodic inspections by the Certified Unified Program Agency (Contra Costa County Fire Prevention District) for safe operations related to hazardous materials. These regulations require reporting of hazardous materials present in quantities exceeding threshold quantities, worker training, emergency planning preparations to minimize potential hazards of a hazardous material upset, and immediate reporting to 911 and the California Office of Emergency Services of any release or threatened release of hazardous materials that presents a significant present or potential hazard to human health and safety, property or the environment. Oil-filled electrical equipment would be subject to 40 CFR 112 regulations that include comprehensive requirements for preventing releases of oil and for oil spill response preparedness. These regulations include safety measures such as secondary containment for oil-filled equipment, requirements for routine inspections and proper equipment maintenance, personnel training to prevent discharges, site security, oil transfer safety precautions, and oil spill response planning. Batteries would contain integrated safety systems to actively monitor electrical current, voltage and temperature to optimize performance, mitigate potential failures, and prevent upset. Batteries performing out of specification would be immediately taken off line by the automated monitoring system. The facility would be designed and constructed to comply with applicable building, electrical and fire codes. Battery buildings would be outfitted with fire suppression equipment to meet or exceed fire safety codes and standards. As described in the Applicant's Project Description (See Section 3.2 in Appendix A), Fire protection would include prevention, suppression, and isolation methods and materials including: smoke/fire detection sensors; ground fault detection, alarms, and systems for automatic shutdown of cooling fans and opening of electrical contacts in the battery system; and systems for automatic activation of fire suppression systems. Operation of the facility would be remotely monitored on a continuous basis. In addition, the facility would be routinely visited to perform visual inspections. Security would be provided including perimeter fencing and remote video monitoring with pan, tilt and zoom capabilities. These design measures are included to minimize the potential for upset and to immediately respond in the event of an unforeseen upset. Considering these safety systems incorporated into the Project design, and existing regulatory requirements and standards applicable to the Project that are designed to minimize hazardous material upset risks to human health and the environment, the risk of a reasonably foreseeable upset or accident scenario creating a hazard to the public or the environment during operations is less than significant.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☑	☐
Less than Significant Impact: *There are no existing or proposed schools located within one-quarter mile of the Site. The closest school is the Parkside Elementary School located approximately 0.4 mile south of the Site. The East Alignment passes within 0.1 mile of St Peter Martyr School but there would be no emissions from the project other than de minimis short-term emissions from construction and maintenance that would be less than significant.*				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☑	☐
Less than Significant Impact: *The 35-acre parcel on which the Site occurs is included in both the Regional Water Quality Control Board's (RWQCB's) GeoTracker online database (Case No. T0601300095) and the Department of Toxic Substances Control (DTSC) Envirostor online database (Case no. 07260001), which both stem from Government Code Section 65962.5. The GeoTracker shows the RWQCB case being closed in October 1997. The Environstor case is open. The parcel is listed due to a past release of trichloroethylene (TCE) solvent, a volatile organic compound, in a portion of the parcel located south of the Site. Approximately 40 tons of impacted soil was excavated and removed from the parcel in 2002 under the direction of DTSC. Confirmation soil samples collected after soil removal indicate that soil was removed to the DTSC-approved site-specific removal action goal of 1.7 milligrams per kilogram. Groundwater beneath the Site has been impacted by TCE and its breakdown products as a result of the past release of TCE. Groundwater monitoring is ongoing and the parcel is subject to a land use covenant (Covenant) to restrict use of the property due to the presence of volatile organic compounds in the groundwater under portions of the property, including portions of the Site (DOC-2007-0217233-00). Ongoing groundwater remedial action includes continued monitoring of the natural attenuation process through biennial sampling of an existing groundwater monitoring well network. The possible volatilization and upward movement of volatile organic compounds from groundwater into existing or future buildings is identified in the Covenant as a potential human exposure pathway but for a commercial land use scenario has been determined to have an estimated total excess lifetime cancer risk of less than DTSC's significance threshold of 1 x 10^{-6}. At the time the Covenant was prepared in 2007 the TCE concentration in groundwater was determined to be up to 2.8 milligrams per liter (mg/L). The most recent groundwater monitoring data reviewed for the Site (June 2013) indicates a maximum TCE concentration of 1.7 mg/Kg beneath the Site and a depth to groundwater beneath the Site ranging from approximately 9 to 19 feet below the ground surface. The Covenant prohibits use of the property for any of the following: a residence for human habitation; a hospital for humans; a school for persons under 21 years of age; or a day care center for children. Furthermore, the Covenant prohibits any of the following on the property: raising of food including cattle and*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
food crops; drilling for drinking water without permission from DTSC; extraction of groundwater for purposes other than site remediation or construction dewatering. The proposed use of the Site is consistent with the Covenant and would not create a significant hazard to the public or the environment. Groundwater is not expected to be encountered by construction excavations. Existing monitoring wells onsite would be preserved in place and access would be provided for continued monitoring unless removal of the wells or other arrangements are approved in writing by DTSC in accordance with requirements of the Covenant. Considering these factors, the impact would be less than significant.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
No Impact: *The Project area is not within an airport land use plan or within two miles of a public or public use airport. The closest airport is in Concord more than seven miles to the southwest.*				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑
No Impact: *There is no private airstrip in the vicinity of the Project area. The closest airport is in Concord more than seven miles to the southwest.*				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☑	☐
Less than Significant Impact: *The proposed Project would not alter any existing public or private through-way. A short term lane closure may be needed to install a water line across Willow Pass Road. If the water line installation is needed, work in the ROW would be under an Encroachment Permit requiring traffic control plan for any lane closures. Because road closure is not anticipated and traffic controls would be implemented, the short potential lane closure would not impair emergency response or otherwise affect any adopted emergency response plan or emergency evacuation plan.*				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☑
No Impact: *The proposed Project area is within urbanized lands in the City, and nearby lands are identified by Cal Fire (2017) as a non-Very High Fire Hazard Severity Zone (non-*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VHHSZ). Pursuant to California Fire Code Section 304.1.2, the Applicant would be required to maintain the Site free of vegetation capable of being ignited or endangering property. In addition, the facility would be designed for fire prevention and provided with a fire water supply as described in the Applicant's Project Description (see Section 3.2 in Appendix A). Considering these factors, the risk of wildland fire from the Project would be less than significant.				
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☑
No Impact: *Construction would occur under the State General Permit with a SWPPP implementing BMPs for protection of water quality. The State General Permit would require that a construction SWPPP be prepared by a Qualified SWPPP Developer and implemented by a Qualified SWPPP Practitioner (QSP). Standard BMPs from the California Stormwater Quality Association (CASQA, 2015) or their equivalents would be required for sediment and other potential pollutants. Under the State General Permit, the SWPPP would need to address water quality BMPs and the permit would require that those BMPs be implemented until it is demonstrated to the Regional Water Quality Control Board that disturbed surfaces are stabilized and a Notice of Termination is accepted. The General Permit requires construction discharges to not violate water quality standards. With adherence to the State General permit and BMPs, no violation of any water quality standard or waste discharge requirement would be expected.* *Discharges from the Project during operations would be required to comply with NPDES Permit CAS612008 (RWQCB, 2015). In conjunction with consideration of the Conditional Use Permit and Design Review, the City would require that the Project include all measures needed to comply with NPDES Permit CAS612008. This permit would require that there is no discharge from the Project other than stormwater and exempted non-stormwater discharges such as air conditioning condensate that do not contain pollutants. Consistent with Low Impact Development standards, the Project design (refer to the Preliminary Design Drawings in Attachment 2) minimizes impermeable surfaces by gravel surfacing of roads and other areas not covered by buildings or equipment foundations. The design incorporates a system of onsite bioretention swales to provide water quality treatment to meet the City's municipal stormwater discharge requirements under NPDES Permit CAS612008. Project facilities would be unattended except for periodic inspections or maintenance and would be secured to preclude public access so there typically would be no generation of trash or debris that could impact stormwater runoff. Other project design features to minimize impacts on water quality consistent with NPDES Permit CAA612008 requirements include:* • *No outdoor storage or work areas are proposed;* • *No outdoor trash collection areas are proposed;* • *No floor drains or interior or exterior wash-down areas are proposed;*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
• *No repair/maintenance bays or fueling areas are proposed;* • *Landscaping irrigation would be designed for efficiency and to promote infiltration and minimize runoff;* • *Landscaping maintenance would minimize use of pesticides and fertilizers;* • *Site storm drain inlets would be stenciled;* • *Avoidance of disturbance to natural water bodies and drainage systems; and* • *Ongoing maintenance of water quality controls and periodic inspections to ensure proper performance.* *The City has an inspection and enforcement program to ensure compliance with requirements of NPDES Permit CAA612008 and would require the Applicant to allow inspections by trained City staff.* *Considering existing requirements of the State General Permit for construction and NPDES Permit CAA612008, BMP's and other measures incorporated in the Project design, and inspection and enforcement measures available to the City, it is not expected that the Project would violate any water quality standards or waste discharge requirements. Therefore, there is no foreseeable impact.*				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☑	☐
Less than Significant Impact: *Operation of the Project would not typically use water. The Site would be unoccupied. Project construction would require water for dust control and compaction. Water would be supplied from the City water supply. This use would be short-term and would not represent a significant water demand that could substantially deplete groundwater supplies. The Project is designed consistent with Low Impact Development standard such as minimizing impermeable surfaces, and use of gravel surfacing and landscaping where possible instead of hardscape surfaces. Impermeable surfaces are broken into individual areas that would drain through gravel that would help maximize infiltration and to disburse flows, and through bioretention swales that would further slow runoff and facilitate infiltration. No material impact on recharge would be expected.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☑	☐
Less than Significant Impact: *The Project is designed consistent with Low Impact Development standard such as minimizing impermeable surfaces, and use of gravel surfacing and landscaping where possible instead of hardscape surfaces. Impermeable surfaces are broken into individual areas that would drain through gravel that would help maximize infiltration and to disburse flows, and through bioretention swales that would further slow runoff and facilitate infiltration.*				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☑	☐
Less than Significant Impact: *The Project is designed consistent with Low Impact Development standard such as minimizing impermeable surfaces, and use of gravel surfacing and landscaping where possible instead of hardscape surfaces. Impermeable surfaces are broken into individual areas that would drain through gravel that would help maximize infiltration and to disburse flows, and through bioretention swales that would further slow runoff and facilitate infiltration. The project drainage is designed to drain to bioretention swales overflowing to the existing City stormwater network that currently receive runoff from the Site area. The Site would drain toward the northeast through an existing culvert under Willow Pass Road to a City pump station that discharges to a tidally influenced area.*				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐
Less than Significant Impact: *The project drainage is designed to maximize infiltration and slow runoff and to drain to the same City stormwater system as current conditions. The Project would be subject to NPDES General Permit conditions including implementation of a SWPPP and BMPs for water quality during construction. The General Permit conditions and limitations are designed to be protective to water quality. Following the General Permit requirements, Project construction would not provide a substantial additional source of polluted runoff. Operations would not result in any substantial sources of polluted runoff due to the enclosure of equipment and facilities. Considering the enclosed nature of Project facilities and other Project factors, and the bioretention swales and other Project design features in accordance with the Stormwater C.3 Compliance Guidebook, operations would not result in a substantial additional source of polluted runoff. Based on these factors, the*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
impact would be less than significant.				
f) Otherwise substantially degrade water quality?	☐	☐	☑	☐
Less than Significant Impact: *The potential to degrade water quality is addressed in Responses 9a, above. As described in that response, the proposed Project would be required to comply with the State General Permit for construction and NPDES Permit CAA612008 during operations, including implementation of BMPs and other design measures to prevent violation of any water quality standard. With BMPs and Project design measures to prevent violation of water quality standards, impacts to water quality would be less than significant.*				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑
No Impact: *The proposed Project does not involve placement of housing. Therefore, no impact would occur.*				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☑	☐
Less Than Significant Impact: *The 100 year flood zone marginally infringes on the west, north and east edges of the Site (FEMA, 2015). Structures on the Site would be outside of the 100 year flood zone boundaries. Structures for portions of the electric tie-line would be located within the 100-year flood zone (Zone AE). FEMA has mapped the base flood elevation as 11 feet above mean sea level as measured using the standard North American Vertical Datum of 1988 (NAVD 88). Considering the relatively flat terrain where the electric tie-line would be located, anticipated low flood velocities would be very low. The negligible cross-sectional area of the electric tie-line structures would not measurably impede, redirect, or otherwise modify flood flows or elevations.*				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☑	☐
No Impact: *Flooding is not a significant hazard for construction because the Site is almost exclusively outside of the mapped 100-year flood plain and because the short duration of construction results in a very low probability of flooding during construction (e.g., a one year construction schedule would have only a one percent chance of experiencing a 100-year flood). Furthermore, while the tie-line would traverse the 100-year flood plain, the relatively flat surrounding terrain would have low flood flow velocities that would provide warning of impending conditions in the unlikely event flooding were to occur during the construction period. Normal flooding also is not a significant hazard for Project operations because Site structures would be located outside the 100-year flood zone and because the proposed*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
facilities are not occupied. Considering these factors, the risk to people or structures from normal flooding would be less than significant. *The Project would not be reliant on any levee for protection from the 100-year flood. Therefore, the risk of flooding due to failure of a levee is less than significant.* *There are no large dams in the immediate vicinity. The Pittsburg General Plan does not include a map of dam inundation hazard areas. The Bay Area Association of Governments published dam inundation hazard map does not show the Project area to be within any dam inundation hazard zone (Bay Area Association of Governments, 2017). Considering this, structures at the Site would not be within the dam inundation hazard zone. Furthermore, the Project does not propose any structure for human occupancy. Considering these factors, the risk to people or structures from dam failure would be less than significant.*				
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☑	☐
No Impact: *The majority of the Project Site including the areas where structures would be built ranges in elevation from approximately 14 to 20 feet above mean sea level (amsl). The Site is located approximately 0.7 mile south of the shoreline of the Sacramento/San Joaquin River delta. It is too high and far from the delta shoreline to be affected by seiche or tsunami. The electric tie-line would extend within approximately 0.25 mile from the shoreline and to near sea-level elevations. The delta water is relatively shallow making it incapable of generating a large seiche. Any foreseeable seiche would be low energy due to the relatively flat terrain and would be unlikely to approach the 100-year annual flood height that the structures would be designed for. Tsunami also is not a material risk. Modeling performed further to the west closer to San Francisco Bay shows that tsunami inundation at this distance from the ocean is not significant (CEMA et al., 2009; ABAG, 2017). For these reasons, seiche or tsunami are not a significant risk for the Project. The Project area is relatively flat and not in any concentrated drainage path from steep sloped areas where mudflows could originate. Therefore, the area not susceptible to mudflows. Based on mapping published by the Association of Bay Area Governments, the Project area is not within any mapped historic landslide, debris flow or earth flow (ABAG, 2017). Considering these factors, the proposed Project would not result in a significant risk due to sieche, tsunami or mudflow.*				
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	☐	☐	☐	☑
No Impact: *The Project Site occurs on a portion of an existing privately owned parcel that does not provide any throughway or other public access way. The proposed Project would not result in any physical barrier or feature that could divide an established community.*				
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general	☐	☐	☑	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				

Less than Significant Impact: *The Project area and adjacent lands are in the City of Pittsburg jurisdiction. Existing uses surrounding the proposed Project include industrial and commercial developments to the north and south, a high voltage electric transmission line corridor to the west, and residential development to the east.*

The City of Pittsburg General Plan designates the Project Site as Business Commercial and the Site is zoned Industrial Park Limited Overlay (IP-O). The propose use fits under the zoning code use classification of "major utility" which is defined, in part, to include power generation plants, substations, or similar facilities. The proposed use would require a zoning text amendment to amend the IP-O (Industrial Park with a Limited Overlay, Ord. No. 07-1284) District, or the "Empire Business Park Overlay District" such that a "major utility" would be a permitted with a use permit. In addition to the zoning text amendment, the Applicant is applying for a conditional use permit, design review and development agreement. A minor subdivision (lot line adjustment or parcel map waiver), or filing of a final map following the current Tentative Parcel Map in Attachment 1, may also be pursued that would subdivide the 35 acre parcel.

The zoning text amendment would be consistent with the zoning code provided that the following findings can be made:

- *It is necessary because there are special or unique characteristics of the site or improvements that require land use and development regulations that cannot be adequately accommodated or controlled by the base zoning district;*
- *It conforms to the general plan; and*
- *It generally complies with the land use and development regulations of the base zoning district.*

The zoning text amendment is necessary because the proposed use does not fall within any of the uses contemplated in the zoning code, since the proposed utility scale application of this technology has only recently become feasible due to substantial developments in battery technology, progress in the availability of renewable energy to power the electric grid, and state mandates for energy storage. The proposed project and others like it are designed, in part, to support achievement of State and federal renewable energy goals by providing a means to store excess energy generated at times of the day when wind and solar energy are generated at peak levels. The proposed use would:

- *Provide a new economic and reliable means of capturing and managing renewable energy;*
- *Provide economic benefit to the City, the County, the region, and the State through construction jobs, property and sales taxes and increased energy efficiency and reliability;*
- *Help stabilize the electric grid and increase the effectiveness of both conventional and*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact

renewable energy projects;

- *Support the achievement of local, State and federal renewable energy goals; and*
- *Support the achievement of State goals for energy storage.*

The zoning text amendment would conform to the General Plan. The zoning text amendment would allow for the Project to be permitted consistent with design standards, and if approved the Project would be infill development within the City limits consistent with the General Plan guiding principles. The General Plan establishes that the Business Commercial designation is intended "to provide sites for administrative, financial, business, professional, medical, research and development, and public offices, as well as custom manufacturing, limited assembly, light manufacturing, warehousing and distribution, and support commercial uses." The Project would be consistent with a warehouse type use.

The purpose of the IP base zoning district is to provide sites in landscaped settings for service-oriented commercial and light industrial uses with limited customer presence and turnover, including industrial office centers, research and development facilities, limited industrial activities (including production and assembly but no raw materials processing or bulk handling), limited and warehouse type retail and commercial activities, and small scale warehouse distribution (Zoning Code Section 18.54.005). The proposed Project would be consistent with this purpose. The zoning text amendment would apply to the "Empire Business Park Overlay District" (Ord. No. 07-1284) and would require a use permit. Site Plan review that would be required for the Project would ensure that the project is compliant with the base zoning of Ord. No. 07-1284.

The West Alignment of the tie-line would be located on lands designated as Business Commercial and Industrial, and also would follow an existing high voltage transmission corridor through an area designated as Open Space. A short segment where the tie-line would cross an abandoned rail spur is designated Utility/ROW. The West Alignment is zoned Industrial Park Limited Overlay (IP-O), and Open Space, and General Industrial (IG). A short segment crossing the abandoned rail spur is zoned Governmental and Quasipublic (GQ).

The Middle Alignment of the tie-line would be located on lands designated as Industrial. A short segment where the tie-line would cross an abandoned rail spur is designated Utility/ROW. The Middle Alignment is zoned General Industrial (IG), except a short segment crossing the abandoned rail spur is zoned Governmental and Quasipublic (GQ).

The East Alignment of the tie-line would be located on lands designated as Industrial and Service Commercial Limited Overlay (CS-O), except a short segment crossing the abandoned rail spur is zoned Governmental and Quasipublic (GQ).

The electric tie-line fits under the zoning code use of "minor utility" which is defined, in part, to include utilities necessary to support legally established uses and involves only minor facilities or structures such as aboveground distribution or transmission lines. Minor utility use is an allowable use for each of the zoning designations that would be traversed by any of the three potential alignments (Zoning Code section 18.54.010). Therefore, the proposed electric tie-line would be consistent with existing land use zoning.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Pursuant to Pittsburg Municipal Code (PMC) Section 18.74.040, the development regulations applicable to the existing IP-O zoning district encompassing the Site would be adjusted to accommodate the Project as set forth in the Project Description, which shall be deemed to constitute an "overlay plan" as contemplated by PMC Section 18.74.030 and 18.74.050. The Project encompassed by this Initial Study includes the overlay zone text amendment specifying major utility as an allowable use on the Project Site as described above, with Design Review, in the Empire Business Park Overlay District. Setback, lot coverage, landscaping and other requirements specified for this district would remain unchanged, and would accommodate the Project layout as designed. *With adoption of the proposed overlay zone text amendment, the Project would be consistent with the City zoning code. The Project site also is governed by a restrictive land use covenant (LUC) between UPI and DTSC. The proposed Project would be consistent with the LUC as previously described in Response 8.d of this Initial Study.*				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑
***No Impact**: The Applicant proposes to comply with the East Contra Costa County HCP/NCCP requirements for areas of the Project in the HCP/NCCP area. Planning level surveys have been conducted and the Applicant has submitted an application to the City for coverage under the HCP/NCCP. No other HCP or NCCP is applicable to the Project area. Because the Applicant proposes to comply with the HCP/NCCP requirements, there would be no conflict.*				
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☑
***No Impact:** The proposed Project would be located in an area classified by the California Department of Conservation as Mineral Resource Zone (MRZ)-1. This designation means that the State has determined adequate information exists to indicate "that no significant mineral deposits are present" or to judge that "little likelihood exists for their presence" (California Department of Conservation, 1996). Therefore, the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State.*				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☑
***No Impact:** No locally-important mineral resource is known to occur in the Project area or delineated to occur in the City's General Plan. Therefore, no impact would occur.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. NOISE - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☑	☐	☐

Less Than Significant Impact With Mitigation Incorporated: *According to the City of Pittsburg General Plan Noise Element, substantial existing noise sources in the Project area include trains and street traffic. The General Plan identifies Willow Pass Road as a substantial noise source in the area, with buildout traffic projected to result in noise at up to 79 dB 100 feet from the road, which includes the north edge of the Project Site.*

The City's Noise Ordinance (Section 9.44.010) does not establish numerical noise level limits related to fixed noise sources or construction noise but makes it unlawful for any person to make, continue or cause to be made, or continue any noise which either unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the City. The City's Building and Construction Ordinance (Section 15.88.060.A.5) prohibits grading noise, including warming up equipment motors, within 1,000 feet of a residence between the hours of 5:30 p.m and 7 am weekdays, unless otherwise approved by the City Engineer. Relevant General Plan Goals limiting noise for land use compatibility include:

- *Policy 12-P-1 establishes that the maximum exterior noise level considered to be "normally acceptable" for the business commercial land use category is 70 dB.*
- *Policy 12-P-9 establishes that generation of loud noises on construction sites adjacent to existing development should be limited to normal business hours between 8 am and 5 pm.*

Construction would generate noise on the Site consistent with typical construction activities. Heavy equipment and other mechanized equipment and vehicles would be used. Internal combustion engines, mechanized equipment, grading, material handling and other activities would generate noise. The noise levels from construction activities would vary during the different construction tasks, depending upon the activity locations and number and types of activities. Mitigation measure NOISE-1 would ensure that noise generated by construction onsite is controlled consistent with General Plan Policy 12-P-9. In addition, loud construction activities would be further limited to hours dictated by City ordinances including, but not limited to, Section 15.88.060A.5. With the noise ordinance in place, implementation of NOISE-1 would limit construction noise impacts to a less than significant level.

Operation of the Project would not generate loud noise. Low noise levels would be emitted, primarily from outdoor electrical equipment and roof-mounted heating, ventilation and air conditioning motors and fans. The only sensitive noise receptors in the immediate site vicinity are residences located to the east. The facility design includes a building at the east end of the Site to effectively shield those residences from noise generated by electrical equipment. Noise modeling was conducted for Project operations using an assumption of all equipment in operation at the same time. Modeling is outlined in Appendix D and results show that the nighttime noise at the closest residences would be approximately 2.5 dBA

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
above the average nighttime noise hour. Less than 3.0 dBA is not generally discernable so the 2.5 dBA increase would not be significant. Given the low levels of noise emitted and the location of noise generating equipment onsite, the Project would meet the noise level standard of General Plan Policy 12-P-1 at the property lines. Considering these factors, noise impacts from operations at the site would be less than significant. *In addition to the stationary noise sources on-site, the tie-line would have the potential to emit corona noise from the breakdown of air into charged particles in the electric field surrounding the surface of conductor wires. Corona noise levels vary widely based on humidity and other factors. Possible corona noise levels were modeled for the closest residences for each of the possible tie-line routes and results show corona noise levels at the closest residences are less than 25 dBA equivalent continuous level. This sound level is far below baseline noise* *levels and, therefore, would not be discernable. Therefore, the corona noise at nearest residences would be less than significant.* ***Mitigation Measure NOISE-1:*** *Loud construction work adjacent to development shall be limited to normal business hours between 8:00 am and 5:00 pm.*				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☑	☐
Less Than Significant Impact: *Grading may generate localized low-level groundborne vibration and noise but would not generate excessive groundborne vibration or noise due to separation from sensitive receptors. Groundborne vibration and noise is attenuated rapidly with distance and the nearest sensitive receptors are residences to the east located approximately 100 feet or more from substantial grading activities. Considering this distance, groundborne vibration impacts would be less than significant.*				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
Less than Significant Impact: *Construction noise impacts would be short term and, therefore, would not result in a permanent increase of ambient noise. Operation of the Project would not generate loud noise. Low noise levels would be emitted, primarily from outdoor electrical equipment and roof-mounted heating, ventilation and air conditioning motors and fans. Given the low levels of noise emitted and the location of noise generating equipment onsite, the Project design is expected to meet the noise level standard of General Plan Policy 12-P-1 at the property lines. The only sensitive noise receptors in the immediate site vicinity are residences located to the east. The facility design includes a building at the east end of the Site to effectively shield those residences from noise generated by electrical equipment. Considering these factors, long-term noise impacts would be less than significant.*				
d) A substantial temporary or periodic increase in ambient noise levels in the	☐	☐	☑	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
project vicinity above levels existing without the project?				
Less Than Significant Impact With Mitigation Incorporated: *Construction would result in a temporary increase in ambient noise levels as described in Response (a) above. In addition, operations would result in low noise levels expected to be at or below the 70 dB General Plan Policy consistent with limits for the business commercial land use designation as described in Response (a) above. Mitigation measure NOISE-1 would ensure that noise generated by construction is controlled consistent with General Plan Policy 12-P-9. In addition, facility construction and operations would be required to comply with City noise protection ordinances. Because noise levels would be consistent with City standards, the impact would be less than significant.*				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
No Impact: *The Project area is not within an airport land use plan or within two miles of a public or public use airport. The closest airport is in Concord more than seven miles to the southwest.*				
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑
No Impact: *There is no private airstrip in the vicinity of the Project area. The closest airport is in Concord more than seven miles to the southwest.*				
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑
No Impact: *The proposed Project would not generate population growth, either directly or indirectly. It does not propose any housing or commercial development, nor extension of roads or expansion of infrastructure. Construction jobs would be short term and, therefore, would be expected to be filled by the existing regional workforce without inducing long-term growth. During operations, Project facilities would be unoccupied but visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. It is expected that operations positions would be filled with the existing workforce without relocation. Because the proposed Project would not generate new long-term full-time*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
jobs or commercial businesses, construct new housing, or extend existing infrastructure, it is not expected to generate population growth.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
No Impact: *Existing housing would not be displaced by the construction or operation of the proposed Project. The Site is on land that is currently vacant and undeveloped. Therefore, no impacts would occur.*				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
No Impact: *No people would be displaced by the construction or operation of the proposed Project. The Site is on land that is currently vacant and undeveloped. Therefore, no impacts would occur.*				
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☑
No Impact: *The proposed Project would be designed and constructed to follow CCCFPD requirements for access, fire water supply, and vegetation management. The final design would be subject to CCCFPD review and approval. The presence of oil in transformers onsite would require submittal of a Hazardous Materials Business Plan on the California Environmental Reporting System with an emergency response plan with emergency coordinator contact information and mechanisms for emergency access to the unoccupied Project Site. Onsite roads would be constructed with a compacted subgrade and compacted gravel surface and would be maintained in a drivable condition for the duration of construction and operations. Access/egress gates would be constructed in compliance with specifications of Contra Costa County Fire Prevention Regulations. California Fire Code Section 304.1.2 would require the Project to be maintained free of vegetation capable of being ignited or endangering property. All electrical systems for the Projects would be required to be constructed in accordance with applicable codes. With adherence to these requirements, the*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Project is not expected to create a capacity or service level problem related to fire protection. No new or modified government facilities would be needed to provide fire protection for the Project. Therefore, there would be no impact.				
Police protection?	☐	☐	☐	☑
No Impact: *The proposed Project would be located in the City of Pittsburg which provides police protection and public safety within the City limits. Construction and operation of the Project would not generate a material demand on police services. The Site would be fenced with controlled access gates that would avoid the need for routine police protection services. Security cameras and alarms would be monitored remotely. Construction and operation of the Projects are not expected to generate population growth. Project facilities would be typically unoccupied during operation. Considering these factors, the proposed Project would not result in an adverse impact on City of Pittsburg Police Department response times, service ratios, or other performance objectives, nor would it result in the need for new or modified police facilities. No new or modified government facilities are needed to provide police protection for the Project. Therefore, there would be no impact.*				
Schools?	☐	☐	☐	☑
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Therefore, no new demands on school facilities would occur, and there would be no impact on school capacities, service levels or performance objectives. The proposed Project would not require new or physically altered school facilities. Therefore, there would be no impact.*				
Parks?	☐	☐	☐	☑
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Therefore, no new demands on park facilities would occur and there would be no impact on park capacities, service levels or performance objectives. The proposed Project would not require new or physically altered park facilities. Therefore, there would be no impact.*				
Other public facilities?	☐	☐	☐	☑
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth or extend infrastructure. It would not create a substantial new demand for services and would not require new or physically altered public facilities. Therefore, there would be no impact related to new or physically altered government facilities.*				
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☑
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Additionally, it would not displace, affect access to, or otherwise*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
physically affect any park or recreational facility. Therefore, no increase or change would occur in the use of any park or recreational facility. Therefore, the proposed Project would not result in or accelerate physical deterioration of any park or recreational facility.				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☑
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Additionally, it would not displace, affect access to, or otherwise physically affect any existing park or recreational facility nor does it propose any new recreational facility.*				
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☑	☐
Less than Significant Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Project-related trips would be generated primarily during construction. Following construction, Project facilities would be unattended and visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. These periodic visits during operations represent negligible trip generation.* *Vehicles would access the Site from Willow Pass Road reached primarily via arterial roads from State Highway 4 including California Avenue (Minor Arterial), Railroad Avenue (Major Arterial), West 10th Street (Major Arterial), and Bailey Road (Major Arterial). The various routes available would tend to break up Project-related traffic on the arterial roads between State Highway 4 and Willow Pass Road. Willow Pass Road is a designated Major Arterial. Near the proposed Project it is a two lane paved road with 12 foot travel lanes, paved shoulders, and left turn pockets, within a 60-foot-wide ROW. The Site frontage on Willow Pass Road has sidewalks, curbs and gutters. Willow Pass Road has bus service via Tri Delta Transit with a bus stop east of the Site frontage at Willow Pass Road and Enterprise Circle (Tri Delta Transit, 2017). Willow Pass Road has a bike lane, but it is not marked as such (Reinders, 2017).* *Construction would occur over a six to 12 month period during which the peak number of*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
construction workers is expected to be approximately 75. In addition, deliveries during construction would generate an estimated 5 round trips spread throughout the day during peak construction activities. Construction worker and delivery traffic would incrementally add to existing traffic on Willow Pass Road and other arterial roads between Willow Pass Road and State Highway 4. Willow Pass Road and other arterials that may be used generally do not have existing capacity issues and can accommodate the short term construction traffic trip generation without exceeding the capacity of the existing circulation system (Reinders, 2017). The expected peak hour traffic considering the estimated 75 construction workers for peak activities would be considerably below the 100 peak hour trip threshold at which the City typically requires a detailed traffic analysis. Additionally, Project construction workers are expected to be primarily be from the existing regional workforce currently contributing traffic to regional transportation routes including State Route 4. Considering the relatively low number of trips generated and the expected use of the existing regional workforce, the short term of construction trip generation would not result in a substantial capacity impact on State Highway 4. *If the Project is required to connect to the existing water main in Willow Pass Road, a traffic management plan would be implemented pursuant to encroachment permit requirements from the City. A short-term lane closure may be required but work in the road is limited in scope and would be completed quickly with the road remaining open with traffic control. The nearby bus stop east of the site at Willow Pass Road and Enterprise Circle would not be affected. Construction parking and staging would be off-street on private property where it would not affect access to any public transportation. The proposed Project would not have a substantial effect on mass transit or bicycle transportation since Willow Pass Road would remain open.* *Considering the above analysis, the impact to the existing circulation system would be less than significant.*				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards standard established by the county congestion management agency for designated roads or highways?	☐	☐	☑	☐
See Response to XVI, above.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☑
No Impact: *The proposed Project would not affect any air traffic patterns or levels. There are no airports in the Project vicinity and the Project would not have an effect on any airport or on air travel.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☑	☐
Less than Significant Impact: *The proposed Project does not include any new construction or realignment of existing road facilities. The Site is within an existing parcel and the Project would not require new or modified streets or intersections. The Site would be accessed by an existing paved driveway capable of accommodating anticipated construction trip generation. Willow Pass Road includes a left turn pocket at the driveway location and is straight with clear vision in both directions from the driveway entrance providing an adequate line-of-sight for safe entrance and exit.* *Some construction deliveries to the Site could be oversized or overweight. Vehicles providing deliveries would be subject to size, weight, and load restrictions pursuant to the California Vehicle Code Division 15, including permits for oversize or overweight loads as required by the California Vehicle Code Section 35780 and California Code of Regulations Title 21 Section 1411.1 et seq. Considering existing laws and regulations for limiting hazards of oversize loads, oversize loads during the short duration of construction would not be an incompatible use.* *During operations, the Site would typically be unattended. Considering the low volume of traffic that would be generated by site visits, and the location of the driveway on a straight segment of Willow Pass Road with good visibility, operations would not substantially increase hazards due to design features or incompatible uses.* *Considering these factors, neither construction nor operation would substantially increase hazards due to a design feature or incompatible use.*				
e) Result in inadequate emergency access?	☐	☐	☑	☐
Less than Significant Impact: *The proposed Project would not result in inadequate emergency access. It would not obstruct existing access routes, and onsite access roads and gates would be provided in accordance with CCCFPD requirements. Willow Pass Road would remain open during construction. Lane closure, if any, would be short-term and through passage would be maintained with traffic controls under an encroachment permit from the City. Considering these factors, the impact would be less than significant.*				
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
XVII. TRIBAL CULTURAL RESOURCES -- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Resources Code section 21074 as either a site, feature, place, cultural landscape, that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☑
No Impact: *A cultural resource records search was conducted through the CHRIS Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition, there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known archaeological or historic sites within the proposed Project Site or electric tie-line potential routes and that there are no known prehistoric archaeological sites within a one-half mile radius of the Project. A search of the NAHC Sacred Lands File failed to indicate the presence of Native American cultural resources in the Project area (Appendix E). As neither the proposed site nor the electric tie-line routes contain any identified archaeological, historic, or tribal cultural resources, as defined in Public Resources Code section 21074, there would be no effect on Tribal Cultural Resources.*				
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
No Impact: *A cultural resource records search was conducted through the CHRIS Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known archaeological or historic sites within the proposed Project Site or electric tie-line route and that there are no known prehistoric archaeological sites within a one-half mile radius of the Project. A search of the NAHC Sacred Lands File failed to indicate the presence of Native American cultural resources in the Project area. As neither the proposed site nor the electric tie-line potential routes contain any archaeological, historic, or tribal cultural resources, as defined in Public Resources Code section 21074, there would be no effect on Tribal Cultural Resources, and there are no resources determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Consequently, there would be no effect upon such resources.*				
XVIII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑
No Impact: *The proposed Project would not discharge wastewater. No wastewater treatment requirements are applicable. Portable sanitary facilities would be provided on the Site and maintained by a licensed contractor for the term of construction.*				
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☑	☐
Less than Significant Impact: *The proposed Project would not discharge wastewater. The Project water demand would be minimal, consisting of a temporary demand for construction and landscape water for operations. The existing City water supply main in Willow Pass Road is adequate to serve the project without expansion of existing facilities (Mata, 2017). A short tie-in to the main would be required for the project if the project cannot tie into the existing water supply infrastructure on the 35-acre parcel.*				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
Less than Significant Impact: *No new or expanded drainage facilities are required offsite. Drainage from the site would flow to existing catch basins and an existing culvert near the*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
northeast corner of the Site that would convey water beneath Willow Pass Road to an existing pump station with capacity for the anticipated flow. Therefore, there would be no impact.				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☑	☐
Less than Significant Impact: *Project water demand would be minimal, consisting of a temporary demand for construction and landscape water for operations. The facility would be unattended and does not include sanitary facilities or other water needs other than minimal landscaping to satisfy City landscaping requirements. Water for construction and landscaping would be obtained from the City. Water is available from the City and existing City water entitlements and resources are adequate to serve the project (Mata, 2017).*				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☑
No Impact: *The proposed Project would be unattended and would not need waste water services. No potable water or permanent sanitary facilities are proposed. Portable sanitary facilities would be used onsite for construction with regular pumping and maintenance by a licensed contractor. Because there would be no need for wastewater service to the Site, there would be no impact.*				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☑	☐
Less than Significant Impact: *Most construction waste streams would consist of recyclable materials such as wood pallets, plastic and paper packaging and scrap metal that can be taken to a waste recycling center. Furthermore, construction would only generate waste for a short period of time. Generation of waste from construction that would need to be landfilled would be limited and would be short-term. The proposed project would be served by Keller Canyon Landfill, which is a class II landfill that accepts municipal solid waste. The landfill has a daily maximum capacity limit of 3500 tons/day and 320 truck trips. Keller Canyon Landfill has 52 million cubic yards of capacity remaining and is projected to have sufficient capacity for another 30 years. Total waste generated by the proposed project during construction and operation would not be substantial relative to the capacity of the landfill therefore, impacts would be less than significant.* *Quantities of non-hazardous and hazardous waste generated by routine operations would be negligible. At the end of battery life, battery modules would be removed from the battery racks and returned to the manufacturer or their approved and permitted recycling partner(s) for dismantling, material processing and recovery.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☑	☐
Less than Significant Impact: *The proposed Project would be required to comply with all relevant statutes and regulations and the Project as proposed would not conflict with any statute or regulation.*				
XIX. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☑	☐	☐
Less than Significant Impact With Mitigation Incorporated: *With the exception of a portion of the tie-line West Alignment, if used, the Project footprint is within non-native grassland and urbanized portions of the HCP/NCCP that do not provide critical habitat. The Project would comply with the HCP/NCCP including mitigation fees and pre-construction surveys to ensure that impacts to affected resources are mitigated. The portion of the tie-line West Alignment that is north of Willow Pass Road includes wetlands that may provide habitat for several protected species. Mitigation Measures BIO-1 through BIO-5, would protect habitat and sensitive species that may occur in that area. These measures include minimization of impacts to the extent feasible and offsetting measures for impacts that cannot be avoided. Permanent impacts in wetland habitat where these species may occur would be approximately 0.38 acres or less. Considering the small area of important habitat that could be affected long term, with implementation of mitigation measures BIO-1 BIO-2, BIO-3, AND BIO-4, the Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, nor reduce the number or restrict the range of a rare or endangered plant or animal. There are no structures on the Project Site and no significant historic or prehistoric resources are known to occur onsite based on a records search and Tribal outreach. Tie-line locations have not been surveyed for cultural resources. Mitigation Measure CUL-1 would require that the tie-line route be surveyed by a qualified professional and that significant resources, if present, be avoided by the tie-line design or, if unavoidable, be mitigated through proper research and documentation. Mitigation Measures CUL-2, CUL-3 and CUL-4 provide for protection of cultural resources in the event of a new discovery. Mitigation Measures CUL-1, CUL-2, CUL-3 and CUL-4 would ensure that impacts to cultural resources would be less than significant in the event cultural resource were to occur in the Project construction area.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☑	☐	☐

Less than Significant Impact With Mitigation Incorporated: *As described in preceding sections of this Initial Study checklist, the Project would have no impact on agricultural or forest lands, mineral resources, growth, population, housing, schools, parks, libraries, recreation, or public services, and the Project would not conflict with biological resource conservation plans, air quality protection plans, traffic congestion management plans, or other established environmental plans or policies. The Project would be consistent with the City Zoning ordinance with the adoption of a zoning text amendment such that a major utility would be permitted with a use permit. Because the Project would have no impact or conflict in these topic areas, there is no potential for the Project to have a cumulative effect in these topic areas with other past, current or probable future projects.*

The Project would not affect any designated scenic vista nor would it damage any scenic resources. The Project Site is in an industrial and commercially developed area and would be located on land zoned Industrial Park-Limited Overlay. The possible tie-line routes are through either existing industrial areas or adjacent to an existing major high voltage transmission line corridor. Considering these factors, the cumulative impact on aesthetic resources would be less than significant.

Air quality cumulative impacts are addressed in Section III of this Initial Study checklist and are less than significant.

As described in Section IV of this Initial Study, impacts to biological resources would be limited since, with the exception of a portion of the tie-line West Alignment, if used, the Project is in disturbed and urban habitat and impacts to biological resources would be mitigated through compliance with the HCP/NCCP. For the portion of the tie-line West Alternative where sensitive habitat and sensitive species may occur, Mitigation Measures BIO-1, BIO-2, BIO-3, and BIO-4 would limit impacts to a less than significant level and compensate for long term impacts with 3:1 habitat compensation for wetlands disturbances. The Applicant's Project Description incorporates HCP/NCCP requirements and Mitigation Measure BIO-5 would require payment of HCP/NCCP mitigation fees to be paid in advance of non-native grassland disturbance. With these measures, impacts to biological resources would be fully mitigated and would not have the potential for significant cumulative effects.

No significant cultural resources are known to occur. Mitigation Measures CUL-1, CUL-2, CUL-3 and CUL-4 would ensure that impacts to cultural resources are mitigated in the event of an unexpected cultural resource discovery so that there are no cumulative impacts.

The Project would have no cumulative impact related to geology or soils. The Project would not impact important mineral resources or unique geologic features. Geologic hazards, by

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
nature, are facility-specific and do not have the potential for cumulative effects. The Project would have no impact on seismic hazards at other locations, and no other reasonably foreseeable project could affect seismic hazards at the site. Therefore, there is no cumulative impact related to seismic shaking. *As described in Section VII of this Initial Study checklist, once constructed, the Project would not generate GhG emissions. The Project could be used to store energy from renewable projects such as solar and wind generation projects, reducing dependency on fossil fuel-produced electric energy and supporting the achievement of local, state and federal renewable energy goals directed at GhG reduction. Considering these factors, the Project would not have cumulative adverse GhG emission impacts.* *As described in Section VIII of this Initial Study checklist, impacts of the Projects related to hazards and hazardous materials would be less than significant. Construction of the Projects would require the use of fuels, lubricants and other hazardous materials typical of construction sites and would be short term. No cumulative impact is anticipated. The facility would be unoccupied and operations would not typically require handling of hazardous materials. The project would be required to comply with all existing laws for safe handling of materials and no cumulative impact is anticipated.* *The Project would not violate any water quality standard or waste discharge requirements or affect water quality. Therefore, there would be no cumulative effect in these areas. There would be no cumulative impact to hydrology because the Site would be designed in accordance with to drain to the same City-maintained system as existing conditions. The grading plan would be subject to review by the City's Building Division and the design includes bioretention swales and other BMPs features in accordance with the Stormwater C.3 Compliance Guidebook.* *Construction noise would be short term and following construction the Project would not be a source of loud noise. The Project is designed with a building at the east end of the site where it would shield the closest sensitive receptors from low levels of noise generated by electrical equipment. The facility would comply with General Plan Policy noise levels. Considering these factors, the cumulative noise impact would be considerable.* *As described in Section XVI of this Initial Study checklist, the Project would generate negligible traffic once construction is complete. No projects or other undertakings have been identified in the Site vicinity that could result in a considerable short term cumulative impact. Following construction, operations would typically be unattended, with routine monitoring and maintenance occurring during occasional site visits (e.g., monthly or less frequent over the long-term), which would be a negligible traffic impact. The Project would not involve new construction or realignment of any roads. The Project would be developed in conformance with all applicable plans, policies, programs, and ordinances related to transportation. Considering these factors, cumulative traffic impacts would be less than significant.* *Considering the factors addressed above, the Project would not have significant cumulative impacts with mitigation incorporated.*				
c) Does the project have environmental effects which will cause substantial	☐	☑	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
adverse effects on human beings, either directly or indirectly?				

Less than Significant Impact With Mitigation Incorporated: *The Project does not have the potential for environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly, other than those addressed in preceding sections of this Initial Study checklist. As described in preceding sections of this Initial Study checklist, the Project would have no impact on agricultural or forest lands, mineral resources, growth, population, housing, schools, parks, libraries, recreation or public services, and the Project would not conflict with zoning, land use, biological resource conservation plans, air quality protection plans, energy plans or policies, transportation, traffic and congestion management plans, or other established environmental plans or policies. The Project would not have substantial adverse effects related to aesthetics, air quality, energy consumption, greenhouse gasses, geology and soils, hazards or hazardous materials, hydrology, water quality, transportation or utilities. With recommended mitigation measures BIO-1 through BIO-5, CUL-1 through CUL-4, and NOISE-1 identified in Sections IV, V, and XII, respectively, of this Initial Study checklist, the Project would have less than significant impacts related to biological resources, cultural resources, and noise. There would be no significant direct, indirect or cumulative impacts with these mitigation measures incorporated.*

3.4 List of Preparers

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Appendix A

Detailed Project Description

Project Description
Diablo Energy Storage
701 Willow Pass Road
Pittsburg, California 94565



August 2017

Submitted to:
City of Pittsburg
Planning Department
65 Civic Avenue
Pittsburg, CA 94565

Submitted by:

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Attachment 1: Tentative Parcel Map
Attachment 2: Preliminary Site Plans

1.0 INTRODUCTION

Diablo Energy Storage, LLC proposes to install one or more single story buildings on a graded and vacant approximately 12 acre site (Site) representing a portion of an approximate 35 acre parcel (Parcel) located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The Parcel is designated Business Commercial (BC) in the General Plan and zoned Industrial Park-Limited Overlay (IP-O). The proposed use will require a zoning text amendment to amend the IP-O (Industrial Park with a Limited Overlay, Ord. No. 07-1284) District, or the "Empire Business Park Overlay District", such that a "major utility" would be permitted with a use permit. In addition to the zoning text amendment, Diablo Energy Storage, LLC is applying for a conditional use permit, design review and development agreement. A minor subdivision (lot line adjustment or parcel map waiver), or filing of a final map following the current Tentative Parcel Map in Attachment 1, may also be pursued that would divide the Site from the 35 acre Parcel.

The buildings will house advanced energy storage technology (e.g., lithium ion batteries) which, together with related control equipment including inverters, transformers, and a small onsite electric substation, will be connected via a new electric tie-line to the existing Pacific Gas & Electric Company (PG&E) Pittsburg Substation located approximately 0.6 mile north of the Site. The facility will be unoccupied and is designed for full remote operation. Diablo Energy Storage, LLC is the Applicant for development permits and will be the Lessor of the property.

The facility will not generate electricity. Rather, it will provide a service by receiving energy (charging) from the point of interconnection (POI) with the PG&E electric transmission system, storing energy, and then later delivering energy (discharging) back to the POI. The Site is within the East Contra Costa Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) area. Two alternate routes being considered for a tie-line to the POI are also within the HCP/NCCP area and a third alternative route being considered extends out of the HCP/NCCP area as described further under the subheading of West Alignment.

The Site is currently vacant with no structures. The Parcel is subject to a Covenant to Restrict Use of Property – Environmental Restriction dated July 27, 2007. Per terms of the Covenant, certain uses and activities on the Parcel are prohibited due to the presence of low concentrations of constituents of concern in ground water. The restrictions prohibit certain uses for the Parcel including raising food, drilling for drinking water, extraction of ground water, schools for persons under 21 years of age, day care centers, residences, and hospitals for humans. The proposed use of the Site is consistent with uses allowed by the Covenant.

The proposed use is compatible with the surrounding area and will have little or no effect on environmental resources or local services given its location on a vacant Site, its unmanned operating profile, and proximity to existing infrastructure. When operating, the proposed use will not create emissions to air, will not require sanitary facilities, and will not require water except to maintain water efficient landscape to meet City requirements.

2.0 PURPOSE

The purpose of the proposed development is to reliably and economically receive, store and discharge electric energy from the California Independent System Operator-controlled electric grid, including renewable energy produced by existing solar and wind resources in the region. The project will interconnect to the CAISO grid at the nearby PG&E's Pittsburg Substation. Construction of the project will:

- Provide a new economic and reliable means of capturing and managing renewable energy;
- Provide economic benefit to the City of Pittsburg, Contra Costa County, the region, and the State, through construction jobs, property and sales taxes, and increased energy efficiency and reliability;
- Help stabilize the electric grid and increase the effectiveness of both conventional and renewable energy generation projects;
- Support the achievement of local, state and federal renewable energy goals; and
- Support State goals for energy storage.

3.0 PROJECT DESCRIPTION

3.1 Location

The Site is located on the south side of Willow Pass Road just west of the point where West 10th Street becomes Willow Pass Road (Figure 1). The Site is Parcel B of the overall 35 acre Parcel as shown in Attachment 1. Photographs of the Site are provided in Figure 2. Preliminary Design Drawings for the project are provided in Attachment 2.

3.2 Design

The batteries will absorb and discharge electrical energy from and to the PG&E-owned and California Independent System Operator-controlled power grid. Batteries will be housed inside the buildings secured in racks arranged in rows with aisles for access. The batteries will be connected in series and in parallel to provide the total energy storage capacity. A Relay and Communications (R&C) room will be provided in the buildings for automated monitoring and managing of the batteries to ensure design performance and system life

Power inverters, medium voltage transformers, and a small onsite electric substation with a transformer will be installed. Conductors in underground conduits will be used to connect the buildings, inverters and transformers. Bi-directional inverters will be used to convert between direct current (DC) power in the battery systems and alternating current (AC) power of the electric grid. Inverters will be outdoor-rated skid mounted systems with equipment in weatherproof enclosures. The preliminary design is for bi directional inverters rated at 480 volts (V) AC, one medium voltage transformer for each one or two inverters, and a high voltage transformer within the onsite substation. Final design will include value engineering and a different number of inverters and transformers may be used. The output from the medium voltage transformers will be aggregated and stepped up to 230 kV by the high voltage transformer at the onsite electric substation.

The substation area will be fenced (in accordance with high voltage electric code requirements) and will include the high voltage transformer, switchgear and an approximately 24-foot wide x 50-

foot high H-frame structure with switches, lightning arrestors and metering equipment. The onsite substation will be connected to the existing PG&E Pittsburg Substation to the north via an overhead 230 kV electric tie-line. The electric tie-line will be constructed, owned and operated by the Applicant or other appropriate entity to a point of change in ownership (POCO) located just outside the Pittsburg Substation. Improvements within the Pittsburg Substation and between the Pittsburg Substation and the POCO will be installed by PG&E, and are within the scope of the environmental review to be conducted by the City.

The facility will be designed and constructed to comply with all applicable codes in effect in the City at the time of building permit submission. Each battery module is a sealed finished UL listed article installed as a component in device (battery rack) containing integrated safety systems to actively monitor electrical current, voltage and temperature to optimize performance, mitigate potential failures, and prevent upset. Batteries performing out of specification will be immediately taken off line by the automated monitoring system. There is no venting or release from the individual cells, cell packs, or casings and the batteries are not opened for use, maintenance, or other purposes. The buildings will be outfitted with fire suppression equipment to meet or exceed applicable fire safety codes and standards. The fire protection plan will include prevention, suppression, isolation methods and materials. At a minimum, this will include: smoke/fire detection sensors; ground fault detection, alarms, and systems for automatic shutdown of all cooling fans and opening of electrical contacts in the battery system; and systems for automatic release of a fire suppression agent appropriate to the battery technology. Typically, such systems use a clean fire suppression agent such as DuPont's FE-25, FM-200, or 3M's Novek 1230, designed specifically for electrical installations to reduce damage to uninvolved equipment. Water sprinkler or mist systems will also be provided as required by the fire code.

The project is designed consistent with low impact development standards and the Contra Costa Clean Water Program Stormwater C.3 Guidebook storm water management requirements. Impermeable surfaces are minimized and include building footprints and concrete pads for the substation and other outdoor electrical equipment. With the exception of landscaping to meet City requirements, other surfaces will be graveled including the onsite driveways since use will be infrequent. The driveways will be constructed with compacted Class 2 gravel surfacing over a compacted subgrade to provide all-weather passage and support for a 74,000 pound load capacity in accordance with Contra Costa County Fire Protection District requirements. No designated parking places are included in the design since the facility is unoccupied and there is existing parking in the Empire Business Park complex as well as space for parking on-site. Outside of the onsite driveways, areas not covered by the buildings or equipment pads will be surfaced with gravel (e.g., ¾-inch drain rock) that will provide for some storm water detention and infiltration.

Sidewalk, curb and gutter exist at the site frontage. Parcel 085-280-010 has an existing paved driveway from Willow Pass Road that will be used by the project. Water-efficient landscaping will be put in place where not already present in accordance with the City landscaping requirements. A Conceptual Landscape Plan is provided in the Preliminary Site Plans in Attachment 2. Landscape water will be obtained from the existing landscape water supply system or a new tie-in to the City water main located in Willow Pass Road. No signage is proposed for the building frontage or site perimeter except the address number. Inside the secured site

perimeter, signage will be provided in accordance with OSHA requirements and other relevant regulatory requirements.

Conceptual architectural renderings are provided in the Preliminary Site Plans in Attachment 2. The architectural design theme is to compliment and be compatible with the existing character of the neighboring industrial buildings. The established buildings in the area are low profile light industrial building types using cementitious and metallic exterior materials. The color palette for the large footprint buildings is in the warm beige range. The proposed architectural design is shown in Sheets A-1 through A-4 of the Preliminary Site Plans and uses tilt-up concrete construction for exterior walls to complement the existing architectural character of neighboring buildings, with colors complimentary to the adjacent buildings. To give a visual and textural interest to the building elevations facing the street, application of a darker beige metal cladding is proposed, complementing the use of metal in the adjacent buildings. The application of exposed roof drainage systems and reveals along the exterior walls provide visual relief and break up the wall surface to smaller modules. Projecting shade elements are included along the street frontage walls above the exterior doors to provide not only shading but also interest as the sun casts shadows along the walls.

Sheet A-5 introduces an alternate design for the buildings. The alternate design would utilize steel framed construction on the exterior walls with metal cladding. The design's vertical recess elements provide for visual relief and reduces the length appearance of the buildings. The Applicant is seeking approval for either architectural scheme, which will allow flexibility as the project further develops.

3.3 Tie-line Routing

The area between the Site and the Pittsburg Substation is extensively developed and industrial and utility infrastructure including bulk fuel oil tanks, railroad alignments, drainage and flood control features, underground gas pipelines, roadways, numerous underground and overhead high voltage electric lines, and other infrastructure. The existing facilities influence feasible routes. Three feasible preliminary alternative tie-line routes have been identified: a) west of the fuel oil tank farm, b) along an existing NRG access road through the fuel oil tank farm, and c) east of the fuel oil tank farm. The routes are described below and are shown in Figure 3. The preliminary tie-line pole locations are provided in Figure 3. Based on preliminary engineering, the poles will be approximately 77 to 95 feet high as shown in Sheet C-9 of the Preliminary Site Plans.

West Alignment

Using this route, the tie-line would extend along the south side of Willow Pass Road approximately 2,000 feet, cross under a series of existing PG&E high voltage lines, then turn north to cross Willow Pass Road and extend approximately 2,100 feet, and then turn northeast and extend approximately 2,500 feet to the POCO. The length of this route is approximately 6,700 feet. This route would require approximately 8 poles and would cross under seven existing PG&E transmission lines. This alignment is outside of the HCP/NCCP area between Willow Pass Road and the point approximately 300 feet southwest of the POI. Use of this alignment may require some surface preparation, or stabilization of existing access routes, to provide access to tie-line structures for construction and maintenance. This alignment is within the East Contra Costa

County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) area only where it is located south of Willow Pass Road.

Middle Alignment
Using this route the tie-line would cross Willow Pass Road directly north of the on-site substation and then turn east and extend approximately 550' feet along the north side of Willow Pass Road before turning north and extending along the west side of the existing NRG access road approximately 3,200 feet to the POCO. The length of this route is approximately 3,800 feet. This route would require approximately 12 poles and would cross under nine existing PG&E transmission lines. This alignment is entirely within the HCP/NCCP area.

East Alignment
This route is the same as the Middle Alignment except that after extending approximately 800 feet north along the NRG access road it would turn east and follow an existing drainage ditch approximately 1,400, then turn north for approximately 1,000 feet, then turn west approximately 1,400 feet, and then turn northwest approximately 1,200 feet crossing under the existing PG&E transmission lines just outside the Pittsburg Substation to the POCO. The length of this route is approximately 5,800 feet. This route would require approximately 16 poles and would cross under nine existing PG&E transmission lines. This alignment is entirely within the HCP/NCCP area.

The Applicant is requesting approval to develop the project using any of the alignments, subject to revisions as may be approved by the Planning Manager.

3.4 Construction

Construction and equipment installation is expected to take 6 to 12 months including the buildings, outdoor electrical equipment, and site preparation including stormwater controls and landscaping. Construction staging will occur onsite. Construction may be phased in response to market demands. If phased, project improvements essential for the entire site such as the connection to the City stormwater system, as the onsite substation, and the electric tie-line, will be installed in the initial phase. A phasing plan is included in Sheet C-11 of the Preliminary Site Plans. In general, if phased, a building and related systems would be installed in the initial phase while installation of subsequent building space and related systems would be deferred to a subsequent phase or phases as shown in the table below:

PHASING PLAN	
Initial Phase	**Subsequent Phase(s)**
Initial Phase Site Prep/Grading, Civil, Drainage	Phase related Site Prep/Grading Civil, Drainage
Onsite Substation & HV Electrical	Subsequent Building Space
Initial Building	Batteries & Associated Systems
Batteries & Associated Systems	Inverter Pads, Equipment & Connections
Inverter Pads, Equipment & Connections	
Electric Tie-Line	

The majority of the Site is currently covered with several feet or more of fill dirt and will be graded to be relatively flat-lying with drainage toward the north and east. Final grading plans will be subject to approval by the City. Grading quantities are provided on Sheet C-1 of the Preliminary Site Plans. Class 2 aggregate will be imported to the Site for surfacing the driveways. Crushed rock gravel will be imported for surfacing outside the building and driveway footprints and for building pad preparation.

It is estimated that Site grading and preparation will require the following equipment:

TYPE	QUANTITY
Bulldozer (e.g., CAT D7)	1
Grader (e.g., CAT D7)	1
Scraper (15-30 CY)	2
Water Truck (3,000- 5,000 gal)	1
Self-Propelled Compactor	1
Dump Truck	1
Tractor/Loader/Backhoe (e.g., Case 590)	1
Bobcat	1

Water may be used during construction if needed for dust control and compaction. A non-toxic dust palliative may also be used. If needed, water will be obtained from the City water supply via an existing hydrant on the Parcel or on the Site frontage of Willow Pass Road. Sanitary facilities during construction will be provided by portable self-contained units maintained by a licensed contractor.

Project construction will implement the following measures to control dust emissions during construction in accordance with Bay Area Air Quality Management District requirements:

- Exposed soil areas will be watered two times per day when needed to control dust emissions;
- Haul trucks transporting soil, sand or other loose material offsite will be covered;
- Best Management Practices (BMPs) will be implemented to minimize track-out onto adjacent public streets;
- A 15 mile per hour speed limit will be used for roadways until stabilized with gravel or other treatment to minimize dust; and
- Disturbed surfaces will be stabilized as soon as practical.

Construction is expected to generate up to an estimated 75 construction jobs during peak construction periods. Deliveries of equipment and materials will generate an estimated 5 round trips per day during peak construction periods that will occur throughout the day. Construction wages will contribute to the local and regional economy through direct income, spending and taxes.

The City operates a 10-inch diameter water main located in the westbound lane of Willow Pass Road (personal communication, Hilario Mata. Assistant Director of Public Works, June 23, 2017). Project construction will include a tie-in to the water main if the water supply for landscaping

cannot be obtained from existing infrastructure on the Parcel (e.g., if a separate parcel is created by subdivision, lot line adjustment or parcel map waiver).

Table 1A and 1B, respectively, summarize land areas and habitat types that could be disturbed by project development during construction and long-term. The Applicant is applying for coverage under the HCP/NCCP and will comply with requirements of the HCP/NCCP as applicable including pre-construction surveys. Planning Level Surveys under the HCP/NCCP have been completed on the Site. Tie-line routes north of Willow Pass Road have been surveyed from the public ROW due to access limitations and further studied using high-resolution aerial imagery. If construction is initiated during bird nesting season (February 1 – August 31), a preconstruction nesting bird survey will be conducted by a qualified biologist within 14 days prior to ground disturbance. If an active nest is located, then a qualified biologist will establish a nest buffer surrounding the active nest. Work will not occur in the buffer area until the biologist determines the nest is inactive. The extent of the nest buffers will be based on consideration of the anticipated levels of noise or disturbance, ambient levels of noise and other disturbances, species present, and topographic or other barriers. If construction is halted for more than 14 days, then a nesting bird survey will be completed within 14 days prior to re-initiating of construction work. Pre-construction surveys for protected raptors will also be completed prior to construction in accordance with requirements of the HCP/NCCP.

Results of a biological resources survey conducted for the project indicates that burrowing owl habit does not occur on the project Site. However, because burrowing owl habitat can occur in disturbed and developed areas, it is possible that burrowing owl could move into the area prior to construction. Therefore, in an abundance of caution, a burrowing owl survey will be conducted by a qualified biologist within 14 days prior to ground disturbance. If an occupied burrow is observed within or adjacent to the Site during the nesting season (February 1- August 31) and is determined to contain an active nest, then a buffer will be established surrounding the nest in accordance with CDFW's 2012 *Staff report on Burrowing Owl Mitigation*. No work will occur in the buffer area until the nest is determined to be inactive by a qualified biologist. If occupied burrows are observed within or adjacent to the Site during the non-nesting season (September 1-January 31) or if an occupied burrow is determined to not be a nest burrow during the nesting season, then a buffer will be established around the burrow by a qualified biologist in accordance with CDFW guidelines. If an occupied burrow cannot be avoided (i.e., is within the limits of disturbance), a burrowing owl exclusion plan will be written and submitted to CDFW for approval of passive relocation procedures.

Tie-Line Construction

If the selected alignment is not covered by HCP, then to the extent necessary, studies would be completed to develop a construction plan that would to the greatest extent possible minimize impacts to wetlands (if any). For example, tie-line structures would be placed to avoid wetlands where possible, and needed access routes would be aligned to utilize existing access routes where possible. Based on the surface disturbance estimates shown in Table 1B the total permanent disturbance to presumed wetlands if the West Alignment is used would be less than 0.5 acre so the project would use USACE Nationwide Permit No. 12 for utility infrastructure if it is determined that federally jurisdictional wetlands cannot be practically avoided. Nationwide Permit No. 12 also provides for temporary surface disturbance needed during construction. Coverage under the

Nationwide Permit No. 12 requires a Section 401 water quality certification from the RWQCB. In addition, approval from the California Department of Fish and Wildlife under Section 1600 of the Fish and Game Code may also be required if the West Alignment is used.

3.5 Stabilization of Temporary Disturbances

Disturbed surfaces on the site that are not covered by buildings, equipment or roads will be stabilized with crushed rock as well as landscaping at the site perimeter to meet City requirements. Temporary disturbances from tie-line construction will be stabilized as soon as practical by returning the ground surface to a condition approximating pre-project conditions. Temporary disturbances in Annual Grassland habitat will be stabilize by reseeding with a seed mix subject to approval by the City.

3.6 Operations

The facility will operate year-round and will be available to receive or deliver energy 24 hours a day, 365 days a year. The Site will be secured with a chain link fencing. Existing chain link fencing that occurs on the Site frontage will be repaired or replaced where needed, and new fencing will be installed at the Site perimeter where fencing does not currently exist. The Site will be equipped with security cameras that will be monitored remotely and with alarms and other security as needed. Landscaping will include water-efficient trees, shrubs and groundcover that will provide aesthetics for views from Willow Pass Road. Existing trees and landscaping along the driveway east of the Site (See Figure 2) will provide visual screening between the project and residences to the east. At the west edge of the site, landscaping along the edge of the existing driveway will include trees and ground cover to mirror the existing landscaping on the opposite (offsite) edge of the driveway. Because the facility will be unattended with little vehicle traffic, the Site gates will be designed to be opened and locked manually. The electrical equipment, heating, ventilation, air conditioning, fire protection systems, and security will be automated and monitored remotely. The Site will be unoccupied but visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. Periodically, batteries and various components will be replaced or renewed to ensure optimal operation.

The facility will operate without emissions to air or water. Except for landscape watering to meet City requirements, the facility will use no water. Because the facility will not be manned, no office, break room, sanitary facilities or potable water will be needed. Motion-activated lighting may be used where needed for safety or security such as at access gates and doorways to buildings. If used, lighting would be directed downward and shielded to minimize visibility from offsite.

Storm water treatment in accordance with City requirements will be provided by gravel yard surfacing and bioretention swales as shown in the Preliminary Design Drawings. Outdoor equipment will be sealed or enclosed and will not affect storm water quality.

Outdoor electrical equipment, cooling fans, and HVAC systems will generate low levels of noise during routine operations. Noise levels will be compatible with surrounding land uses and below levels that would conflict with the City's Noise Ordinance (Noise Ordinance Section 9.44.010). The closest sensitive noise receptors are residences located east of the Site. The project is designed with a building at the eastern side that will block electrical equipment noise to these residential

receptors. The facility will be designed comply with the City noise standards as described in the City's General Plan at Section 12, Noise.

At the end of battery life, battery modules will be removed from the battery racks and returned to the manufacturer or their approved recycling partner(s) for dismantling, material processing and recovery. Other waste from Site maintenance will be removed from the Site as part of maintenance work and managed in accordance with applicable regulations. Oil in oil-filled transformers is not routinely handled. Oil filled equipment is operated normally closed and sealed. On infrequent occasions, oil in oil-filled electrical equipment may require filtering or replacement if it becomes contaminated. If oil from oil-filled equipment needs to be replaced, the used oil would be recycled at a licensed offsite recycler.

4.0 PROJECT SCHEDULE

Construction of Phase I (or the complete project if all Phases were constructed concurrently) will be scheduled to begin after receipt of requisite permits and is expected to take approximately 6 - 12 months.

5.0 APPLICANT

The Applicant is Diablo Energy Storage, LLC, a company formed for the sole purpose of developing the project and wholly owned by LSP Generation Holdings, LLC. LSP Generation Holdings, LLC is part of the LS Power Group (LS Power), a privately held, leading independent energy development firm established in 1990 employing approximately 150 professionals. LS Power is well regarded in the development and financial community and in the past 10 years has raised over $17 billion of capital for investments in the energy sector including electric generation, storage, and transmission assets. More information can be found at www.lspower.com.

TABLE 1A
SUMMARY OF TOTAL DISTURBANCE BY PROJECT FEATURE AND HABITAT TYPE
(TOTAL SHORT-TERM PLUS LONG TERM DISTURBANCES)

FEATURE	DISTURBANCE IN HCP/NCCP AREA (AC)	DISTURBANCE OUT OF HCP/NCCP AREA (AC)	HABITAT	COMMENTS
Site Development	10.41	--	Annual Grassland	• Site gross is 11.85 acres including existing surfaced roads. Disturbance is 10.12 Ac.
West Alignment	0.49	0.45	Annual Grassland	• 3 pole sites x 3,500 sf ea. in HCP/NCCP area • 2 stringing sites x 1000 sf ea. in HCP/NCCP area • Access 10' x 900' in HCP/NCCP area • 2 pole sites x 3,500 sf ea. out HCP/NCCP area • Access 10' x 1000' out of HCP/NCCP area
	0.02	--	Urban	• 1 pole site (POCO)[1]
		1.47	Wetland[2]	• 1 or 2 pole sites totaling up to 20,000 sf[3] • 2 stringing sites 1,000 sf ea. • Access 12' x 1000' • Contingency Access 12' x 1,500[4]
Middle Alignment	0.16	--	Urban	• Ten pole sites x 700 sf ea[1]
East Alignment	0.21	--	Urban	• 13 pole sites x 700 sf each[1]

[1] Stringing sites, construction work areas and long-term access that may be used in urban areas not requiring clearing or surface improvement are not included in this table since there would be no ground disturbance. Ground disturbance for poles in urban habitat is estimated based on 15' radius around the pole center point.

[2] Presumed wetland area based on field survey results from other nearby projects, aerial imagery analysis, and visual survey from public rights-of-way due to access constraints. Actual wetland area and disturbed acreage to be determined prior to construction if Project for areas outside of the HCP/NCCP coverage area.

[3] Estimate allows for contingency for final design to determine minimum safe working area at each pole and for jurisdictional wetland conditions to be confirmed by delineation at one or two poles.

[4] Contingency for possible temporary access between tie-line structures B and C if a helicopter is not used for stringing.

TABLE 1B
SUMMARY OF LONG-TERM DISTURBANCE BY PROJECT FEATURE AND HABITAT TYPE

FEATURE	DISTURBANCE IN HCP/NCCP AREA (AC)	DISTURBANCE OUT OF HCP/NCCP AREA (AC)	HABITAT	COMMENTS
Site Development	10.41	--	Annual Grassland	• Site gross is 11.85 acres including existing surfaced roads. Disturbance is 10.12 Ac.
West Alignment	0.05	0.32	Annual Grassland	• 3 pole sites x 700 sf ea. in HCP/NCCP area • 2 pole sites x 700 sf ea. out of HCP/NCCP area • Access 10' x 1,250 out of HCP/NCCP area
	0.02	--	Urban	• 1 pole site (POCO)
		0.38	Wetland[(1)]	• 1 or 2 pole sites x 700 sf ea. • Access 12' x 1000' • Contingency Access 12' x 250'[(2)]
Middle Alignment	0.16	--	Urban	• Ten pole sites x 700 sf ea
East Alignment	0.21	--	Urban	• 13 pole sites x 700 sf ea

[(1)] Presumed wetland area based on field survey results from other nearby projects, aerial imagery analysis, and visual survey from public rights-of-way due to access constraints. Actual wetland area and disturbed acreage to be determined prior to construction if Project for areas outside of the HCP/NCCP coverage area.

[(2)] Contingency in the event that the vegetated portion of the long term access route to Pole C is found to be wetlands instead of grassland.



\\Sanfran-fs1\gis\GIS_LIB\Diablo Energy Storage\mxd\Figure 1 Project Location.mxd

Legend

Diablo Energy, LLC Site

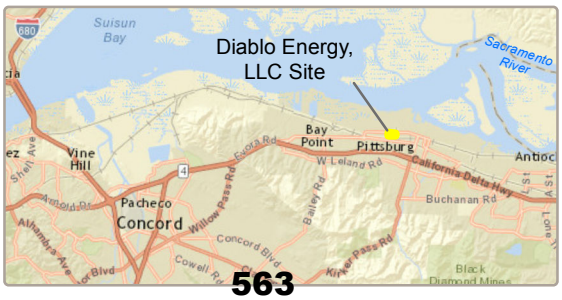


Figure 1: Project Location
Diablo Energy, LLC

N

0 400 800 1,200 Feet

1:9,600

7/14/2017

TRC
Results you can rely on

Figure 2: Site Photographs



1) Looking east from west end of the Site.

2) Looking north along the driveway just east of the Site.

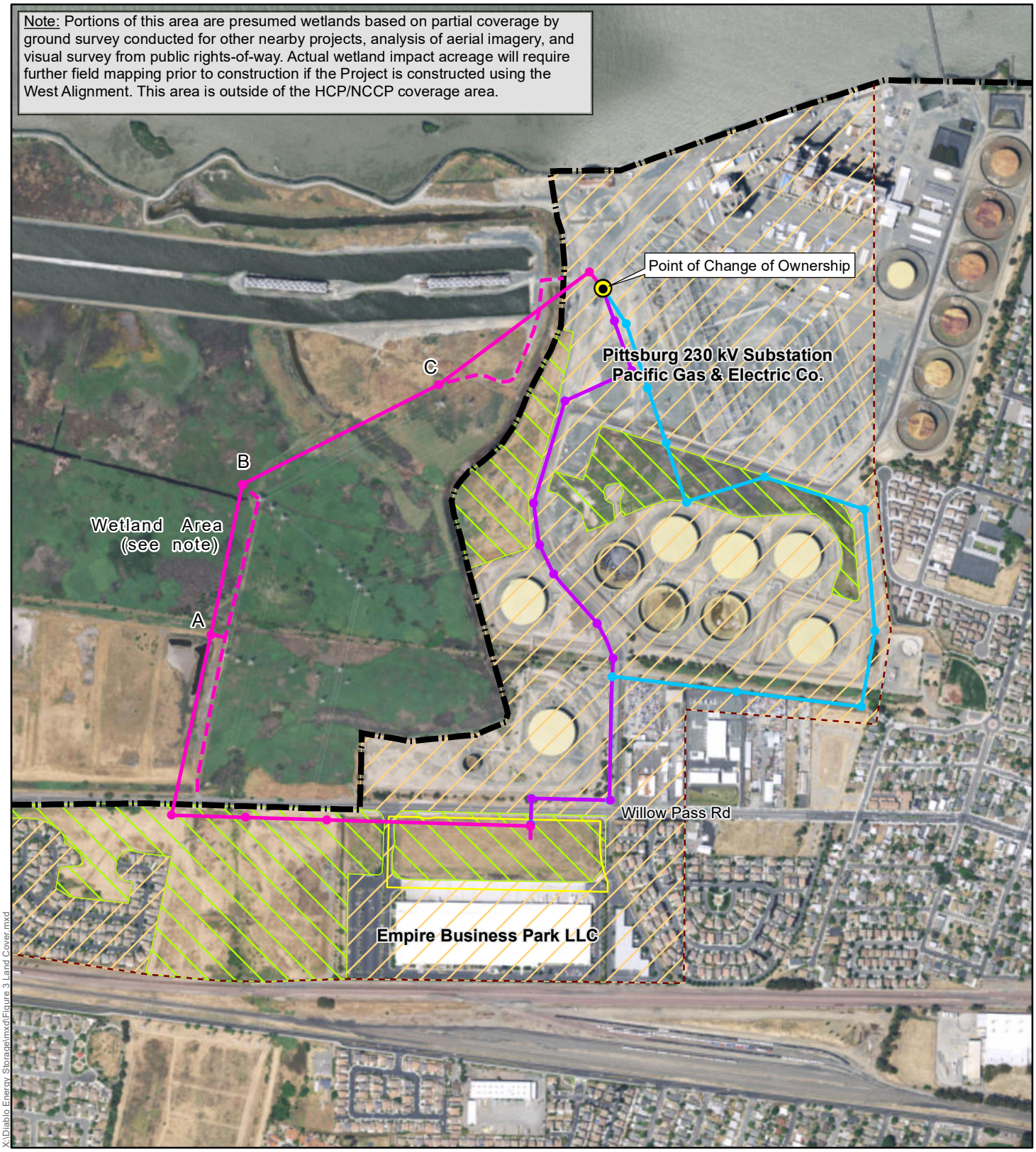




3) Looking east on the northern end of the Site.

4) Looking west from the side of the Site.





Legend

- Project Site
- West Alignment
- Middle Alignment
- East Alignment
- Limits of Project Mapping
- HCP Inventory Area
- Preliminary Structure Locations
- Preliminary Access Route
- Annual Grassland
- Urban

Figure 3: Land Cover Map
Diablo Energy Storage, LLC

N

0 400 800 1,200 Feet

1:9,600

8/29/2017

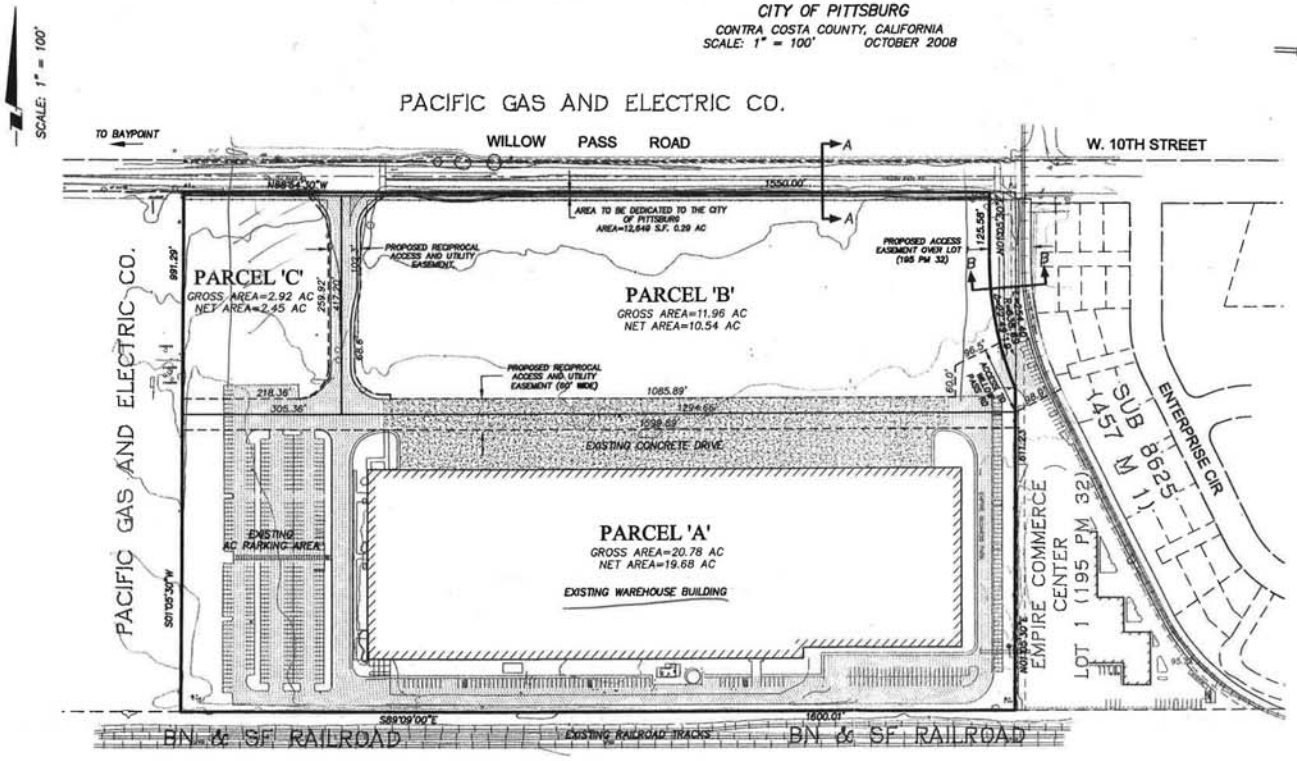
TRC Results you can rely on

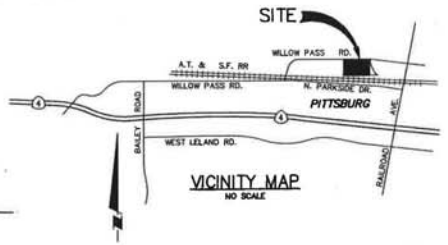
Attachment 1
Tentative Parcel Map

TENTATIVE MAP MINOR SUBDIVISION NO. 677-08

"EMPIRE BUSINESS PARK"

CITY OF PITTSBURG
CONTRA COSTA COUNTY, CALIFORNIA
SCALE: 1" = 100' OCTOBER 2008





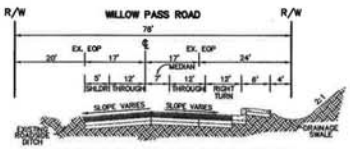
VICINITY MAP
NO SCALE

PROJECT SUMMARY

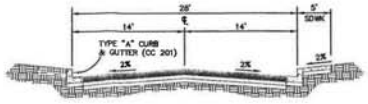
1.	OWNER & DEVELOPER:	DON & LONNIE CARR C/O DAVIS & ASSOCIATES 701 WILLOW PASS ROAD PITTSBURG, CA 94565 (925) 432-4714
2.	ENGINEER:	ISAKSON & ASSOCIATES, INC. 2255 YGNACIO VALLEY ROAD #C WALNUT CREEK, CA 94598 (925) 937-9333
3.	PROPERTY ADDRESS:	701 & 753 WILLOW PASS RD.
4.	WATER SUPPLY:	CITY OF PITTSBURG
5.	SEWER SERVICE:	CITY OF PITTSBURG
6.	POWER:	PGE
7.	PHONE SERVICE:	AT&T
8.	CONTOURS:	1' CONTOURS
9.	ASSESSORS PARCEL NO.:	APN. 085-260-009
10.	TOTAL AREA (GROSS)	35.95 ACRES
11.	3 PARCELS PROPOSED PARCEL A-19.68 AC PARCEL A-10.54 AC PARCEL A-2.45 AC	

LEGEND

PROPOSED	ITEM
	PROJECT BOUNDARY
	RIGHT-OF-WAY LINES
	PROPERTY LINES
	EASEMENT LINES
	EXISTING BUILDING
	PAVEMENT
	CONCRETE



EXISTING WILLOW PASS ROAD
SECTION A-A
NOT TO SCALE



EXISTING ENTRANCE DRIVEWAY
SECTION B-B
NOT TO SCALE

SUBDIVISION MS EMPIRE BUSINESS PARK

TENTATIVE MAP

PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

Isakson & Assoc. Inc.
civil engineering land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA 94598 Phone:(925) 937-9333

DATE: 10-30-08	DESIGNED BY:	DRAWN BY: NGS	CHECKED BY: DOI	JOB NO. 200836	SHEET 1 OF 1

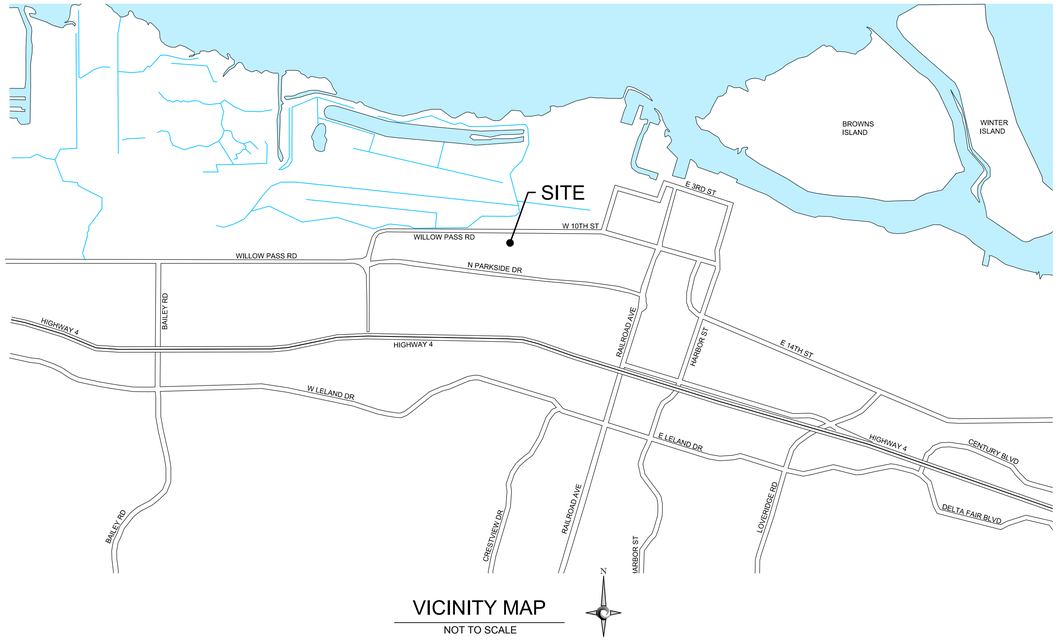
200836 EMPIRE - TENTATIVE MAP MINOR SUBDIVISION NO. 677-08 10-30-2008

Attachment 2
Preliminary Site Plans

PRELIMINARY SITE PLANS

DIABLO ENERGY STORAGE

PITTSBURG, CALIFORNIA



VICINITY MAP

NOT TO SCALE

PROPERTY OWNERS

EMPIRE BUSINESS PARK, LLC
1500 3RD STREET #C
NAPA, CA 94559
PH: 707-255-6540

APPLICANT

DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

ENGINEER/CONSULTANT

TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-697-7169
JSTENGER@TRCSOLUTIONS.COM

DESCRIPTION

THESE PRELIMINARY PLANS INVOLVE THE DEVELOPMENT OF SINGLE-STORY BUILDING SPACE FOR HOUSING BATTERIES AND CONTROL EQUIPMENT, AND ANCILLARY EQUIPMENT INCLUDING INVERTERS AND TRANSFORMERS, AN ELECTRIC SUBSTATION AND ELECTRIC LINE TO THE EXISTING PG&E PITTSBURG SUBSTATION. THE FACILITY WILL BE UNOCCUPIED AND IS DESIGNED FOR FULL REMOTE OPERATION. BECAUSE THE FACILITY WILL NOT BE OCCUPIED, NO POTABLE WATER SYSTEM OR SANITARY SYSTEM IS PROPOSED. NO EXTERIOR LIGHTING IS PROPOSED. EXISTING DRIVEWAY AND PARKING WILL BE USED. THERE WILL BE ROOM FOR PARKING ONSITE FOR OCCASIONAL SITE VISITS.

SITE INFORMATION

STREET ADDRESS:	701 WILLOW PASS ROAD, PITTSBURG, CA
ASSESSOR'S PARCEL NUMBER:	085-280-010
ZONING:	INDUSTRIAL PARK - LIMITED OVERLAY (IP-O)
BUILDING SQUARE FOOTAGE:	(3) 62,000 SF
TOTAL BUILDING SQUARE FOOTAGE:	186,000 SF
PROPOSED LOT AREA (GROSS):	11.85 AC
PROPOSED LOT AREA (NET):	10.44 AC
LOT COVERAGE (EACH BUILDING):	13.33%
LOT COVERAGE (TOTAL):	40%
FLOOR AREA RATIO:	0.40
PERCENT OF LANDSCAPE COVERAGE:	17%
NUMBER OF PROPOSED PARKING:	0
DISTURBED AREA (GRASSLAND AND BARE SOIL):	10.73 AC
DISTURBED AREA (GRASSLAND):	10.41 AC
DISTURBED AREA (BARE SOIL):	0.32 AC
EXISTING IMPERVIOUS AREA:	0 SF
PROPOSED IMPERVIOUS AREA:	205,044 SF

LEGEND

- EXISTING PROPERTY BOUNDARY
- PROPOSED PROPERTY BOUNDARY
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING TOPOGRAPHIC CONTOUR (1-FT INTERVAL)
- EXISTING TOPOGRAPHIC CONTOUR (5-FT INTERVAL) — 15
- PROPOSED TOPOGRAPHIC CONTOUR (1-FT INTERVAL) — 14
- EXISTING SEWER LINE — SS
- EXISTING CHAIN LINK FENCE
- EXISTING OVERHEAD ELECTRICAL — E
- EXISTING COMMUNICATION LINE — TEL
- PROPOSED CHAIN LINK FENCE
- PROPOSED ELECTRIC LINE
- LIMITS OF GRADING AREA
- EXISTING FIRE HYDRANT
- EXISTING STREET LIGHT
- EXISTING MONITORING WELL
- EXISTING DRAIN INLET
- EXISTING MANHOLE
- PROPOSED POWER POLE
- PROPOSED STORMWATER PIPE
- PROPOSED DITCH (FLOWLINE)
- PROPOSED SHEET FLOW
- SLOPE AND DIRECTION — 1.6%
- EXISTING ASPHALT CONCRETE
- EXISTING CONCRETE SURFACE
- PROPOSED CLASS II AGGREGATE BASE
- PROPOSED BIORETENTION BMP
- FMEA FLOOD ZONE AE
- FEMA FLOOD ZONE X (HATCHED)
- (E) EXISTING
- SL STREET LIGHT
- FH FIRE HYDRANT
- DI STORM DRAIN INLET
- PIV/FDC POST INDICATOR VALVE / FIRE DEPARTMENT CONNECTION
- WM WATER METER
- ELECT ELECTRICAL
- JT JOINT TRENCH LINES
- OH OVERHEAD LINES
- SSMH SANITARY SEWER MANHOLE

DRAWING SCHEDULE

C-1	COVER SHEET
C-2	EXISTING BOUNDARIES, EASEMENTS AND FLOODING
C-3	PROPOSED BOUNDARIES AND EASEMENTS
C-4	EXISTING TOPOGRAPHY
C-5	CONCEPTUAL GRADING PLAN
C-6	CONCEPTUAL SITE PLAN
C-7	CONCEPTUAL DRAINAGE PLAN
C-8	CONCEPTUAL LANDSCAPING PLAN
C-9	ELECTRICAL DETAILS
C-10	ROAD, DRAINAGE AND FENCE DETAILS
C-11	CONSTRUCTION PHASING
A-1	TYP. FLOOR PLAN BUILDING 1-2-3
A-2	ROOF PLAN - BUILDING 1-2-3
A-3	BUILDING SECTIONS
A-4	EXTERIOR ELEVATIONS
A-5	EXTERIOR ELEVATIONS ALTERNATE

EARTHWORK QUANTITIES

LIMITS OF GRADING: 8.64 AC

	CUT	FILL
WESTERN BUILDING PAD	1600 CY	2050 CY
CENTRAL BUILDING PAD	1900 CY	2400 CY
EASTERN BUILDING PAD	3300 CY	2800 CY
SUBSTATION PAD	450 CY	875 CY
ROADWAY	1175 CY	275 CY
STORMWATER BMP	845 CY	45 CY
NET CUT (ONSITE):	825 CY	
CLASS II AGG. BASE IMPORT	990 CY	
BIORETENTION MEDIA IMPORT	770 CY	

REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	UPDATE TRC ADDRESS	VL	SH	JS

TITLE: COVER SHEET

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-697-7169
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

SHEET NO: C-1

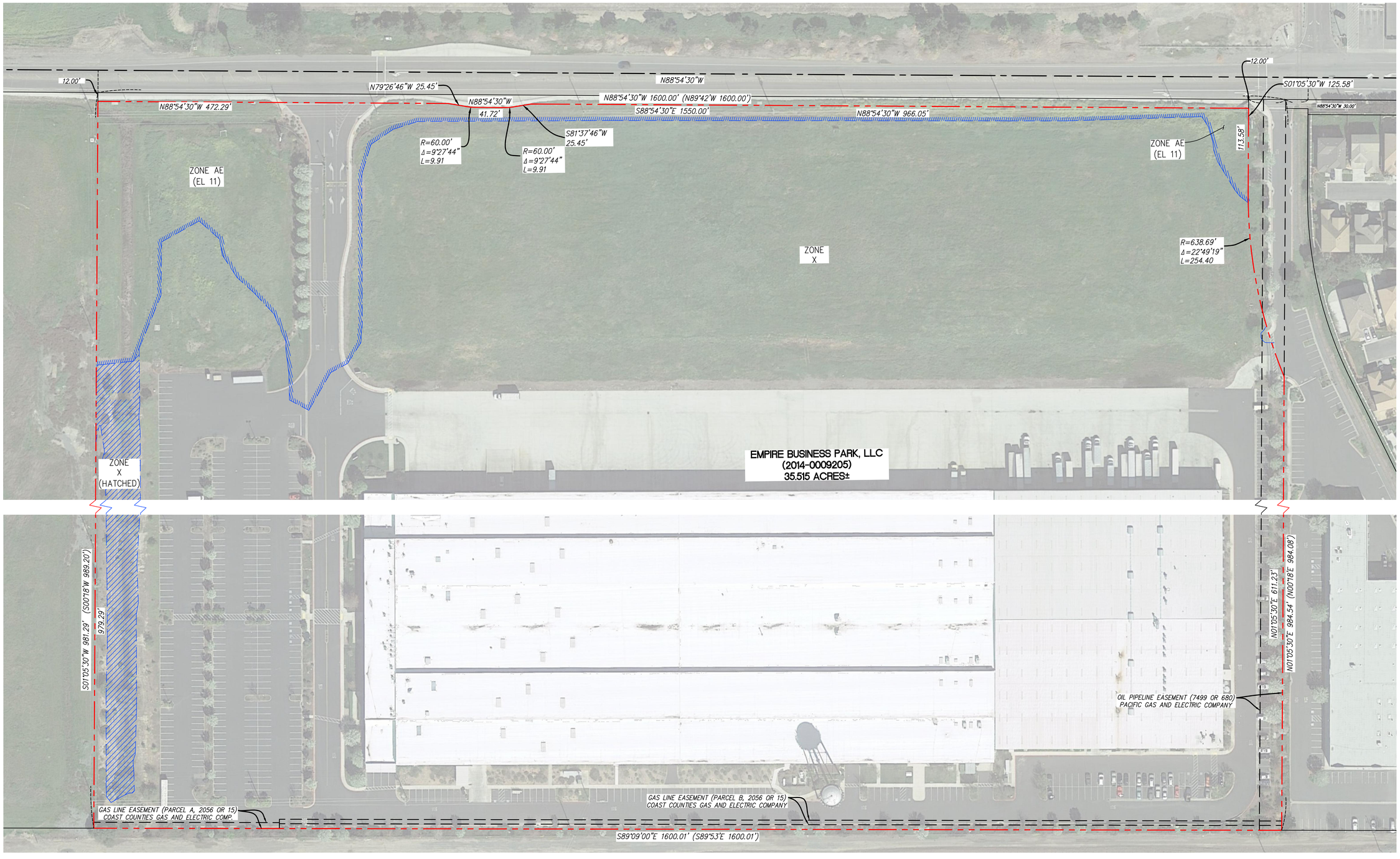
NOTES:

1. INFORMATION SHOWN ON THIS SHEET IS BASED ON THE ALTA / NSPS LAND TITLE SURVEY PREPARED BY RUGGERI-JENSEN-AZAR DATED APRIL 20, 2017.
2. PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR CONTRA COSTA COUNTY, CALIFORNIA AND INCORPORATED AREAS, MAP NUMBER 06013C0119G, MAP REVISED SEPTEMBER 30, 2015, THE SUBJECT PROPERTY LIES WITHIN ZONE AE (EL 11) – SPECIAL FLOOD HAZARD AREAS WITH BASE FLOOD ELEVATION OR DEPTH; ZONE X (HATCHED) - SPECIAL FLOOD HAZARD AREAS, 0.2% ANNUAL CHANCE FLOOD HAZARD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTH LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE; AND ZONE X - OTHER AREAS, AREAS OF MINIMAL FLOOD HAZARD.

N

60 ft 0 60 ft 120 ft

SHEET SIZE 24"x36" - SCALE: 1"=60'



REV	DATE	DESCRIPTION	BY	CHKD	APP.
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	UPDATE TRC ADDRESS	VL	SH	JS

TITLE: EXISTING BOUNDARIES, EASEMENTS AND FLOODING

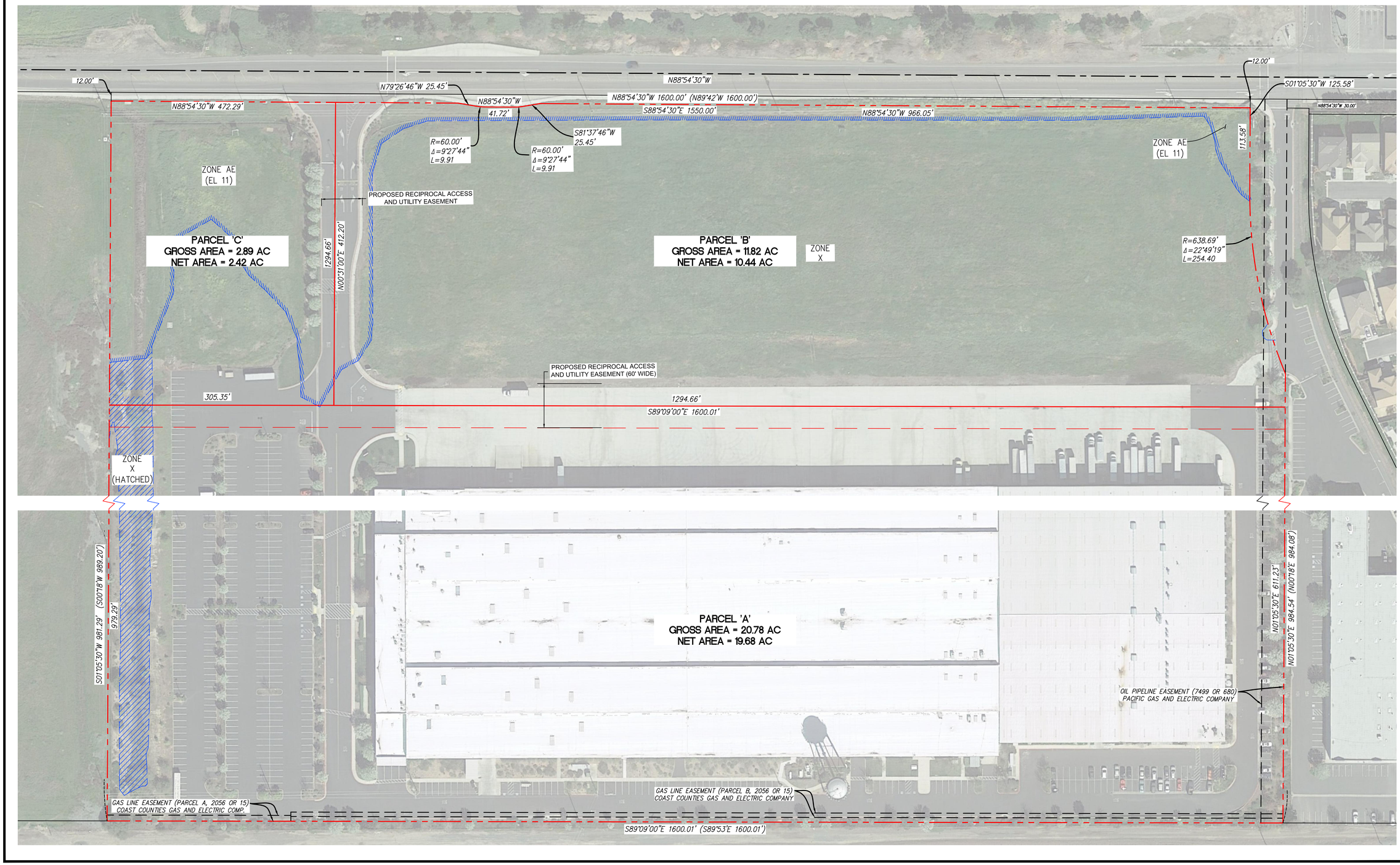
PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

ENGINEER:
TRC SOLUTIONS, INC.
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-697-7169
jstenger@trcsolutions.com

TRC Results you can rely on

SHEET NO. C-2



N

60 ft 0 60 ft 120 ft

SHEET SIZE 24"x36" - SCALE: 1"=60'

REV	DATE	DESCRIPTION	BY	CHKD	APP
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	UPDATE TRC ADDRESS	VL	SH	JS

TITLE: PROPOSED BOUNDARIES AND EASEMENTS

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
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PH: 925-201-5230
FAX: 925-201-5230

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
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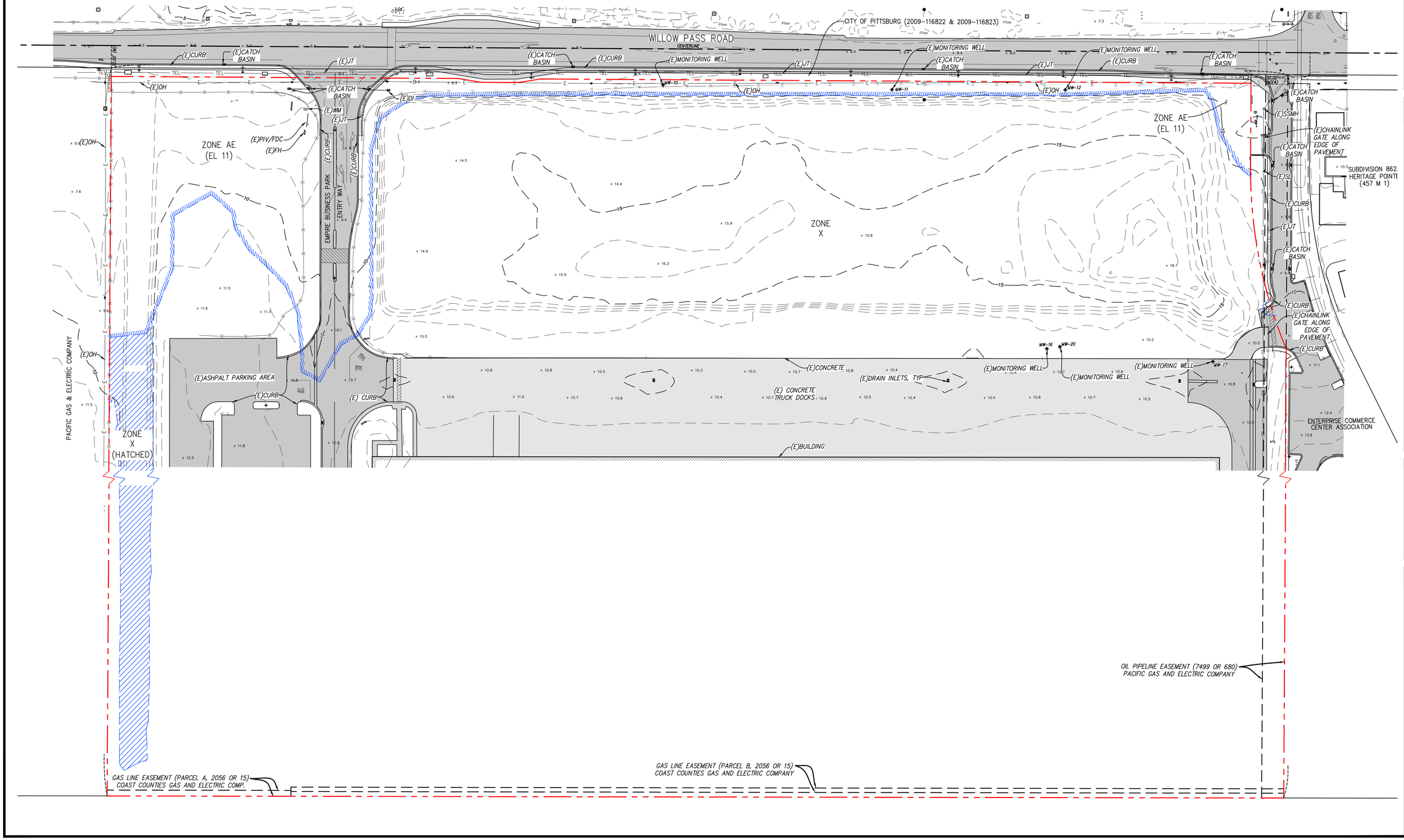
jstenger@trcsolutions.com

TRC Results you can rely on

SHEET NO. C-3



REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	UPDATE TRC ADDRESS	VL	SH	JS

TITLE: EXISTING TOPOGRAPHY

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17311 VON KARMAN AVENUE, SUITE 400
IRVINE, CALIFORNIA 92614
PH: 949-697-7169
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

SHEET NO: C-4

REV.	DATE	DESCRIPTION	BY	CHKD	APP'D
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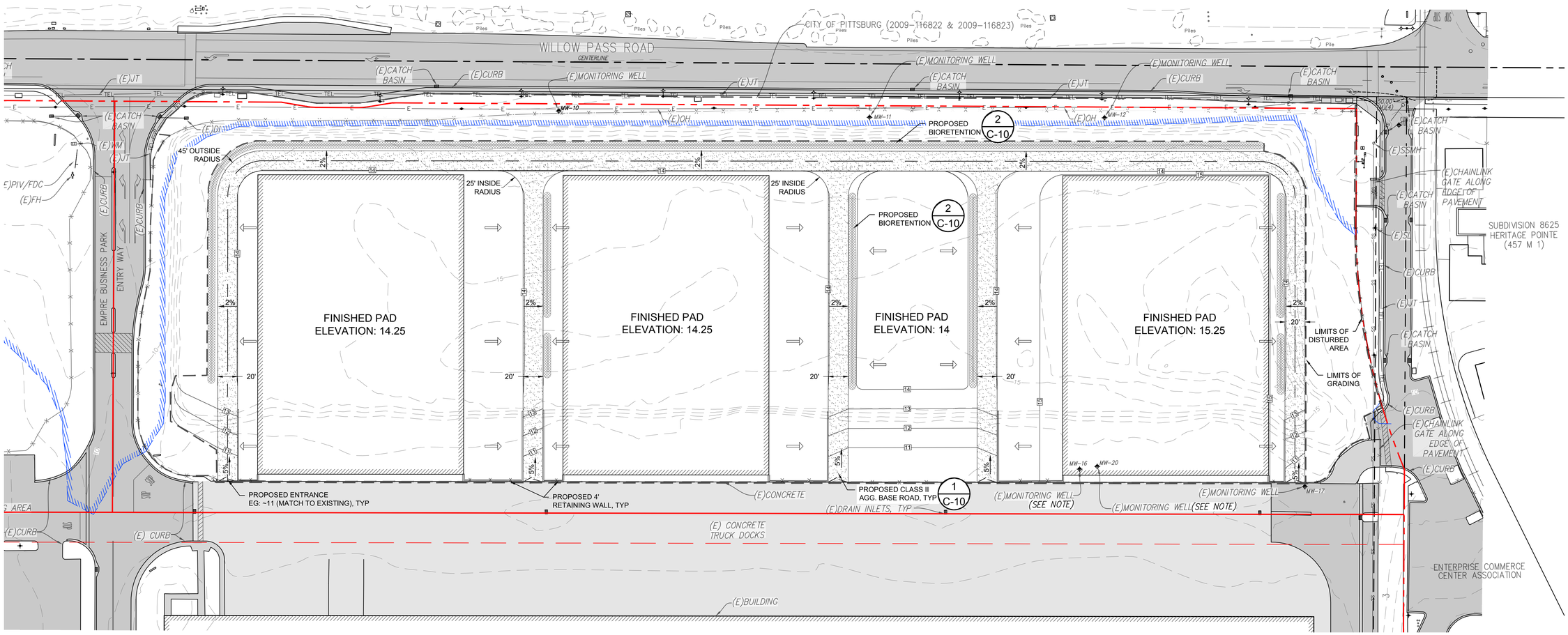
1	01/12/18	UPDATE TRC ADDRESS	VL	SH	JS



NOTE: EXISTING MONITORING WELLS TO BE PRESERVED IN PLACE IF NEEDED, AND FINISHED WITH FLUSH COVERS AT BUILDING FLOOR GRADE. ACCESS WILL BE PROVIDED FOR MONITORING AS NEEDED. ALTERNATIVELY, WELLS MAY BE ABANDONED OR RELOCATED IF APPROVED BY DTSC IN CONJUNCTION WITH THE SEPARATE ONGOING MONITORING AND REPORTING PROGRAM INTERACTIONS WITH THE LANDOWNER AND DTSC.

N

50 ft 0 50 ft 100 ft

SHEET SIZE 24"x36" - SCALE: 1"=50'

TITLE: CONCEPTUAL GRADING PLAN

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
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PH: 949-697-7768
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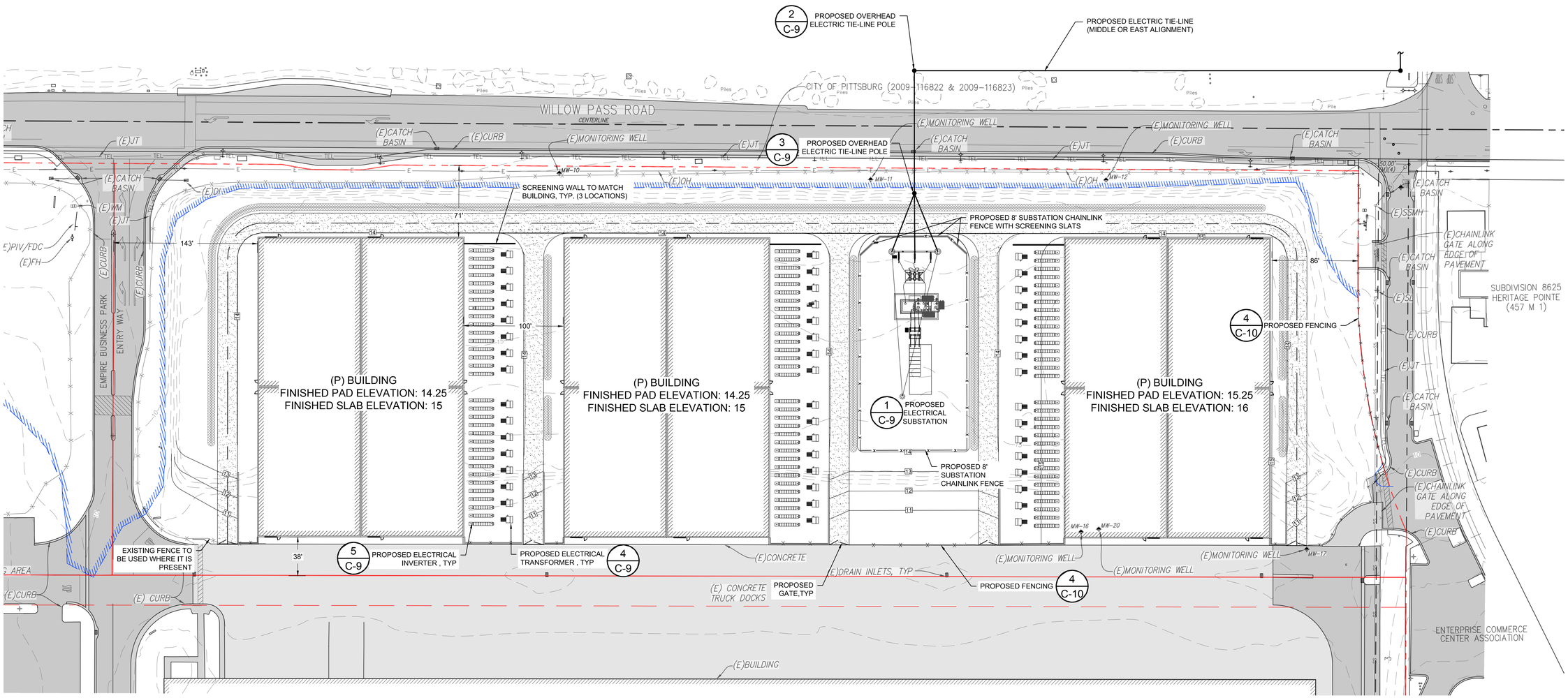
OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

TRC Results you can rely on

SHEET NO. C-5

REV.	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS



SHEET SIZE 24"x36" - SCALE: 1"=50'

TITLE: CONCEPTUAL SITE PLAN

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-697-7169
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5340
FAX: 925-201-5230

SHEET NO: C-6

REV.	DATE	DESCRIPTION	BY	CHKD	APP.
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

BIORETENTION ELEVATION: 12.75

BIORETENTION 4" CONNECTOR PIPE, TYP

2 C-10 BIORETENTION FACILITY, TYP.

CONNECT 24" OVERFLOW PIPE TO EXISTING CITY STORMWATER NETWORK

BIORETENTION ELEVATION: 12.75

24" BIORETENTION OVERFLOW PIPE

BIORETENTION ELEVATION: 12.75

BIORETENTION FACILITY, TYP

2 C-10

BIORETENTION ELEVATION: 12.75

BIORETENTION FACILITY, TYP

2 C-10

BIORETENTION ELEVATION: 12.75

PROPOSED 4" CULVERT, TYP

BIORETENTION ELEVATION: 12.75

BIORETENTION ELEVATION: 12.75

BIORETENTION ELEVATION: 12.75

PROPOSED RETAINING WALL DITCH, TYP

N

50 ft 0 50 ft 100 ft

SHEET SIZE 24"x36" - SCALE: 1"=50'

CONCEPTUAL DRAINAGE PLAN

DIABLO ENERGY STORAGE

APN 085-280-010

701 WILLOW PASS ROAD, PITTSBURG, CA

TITLE:

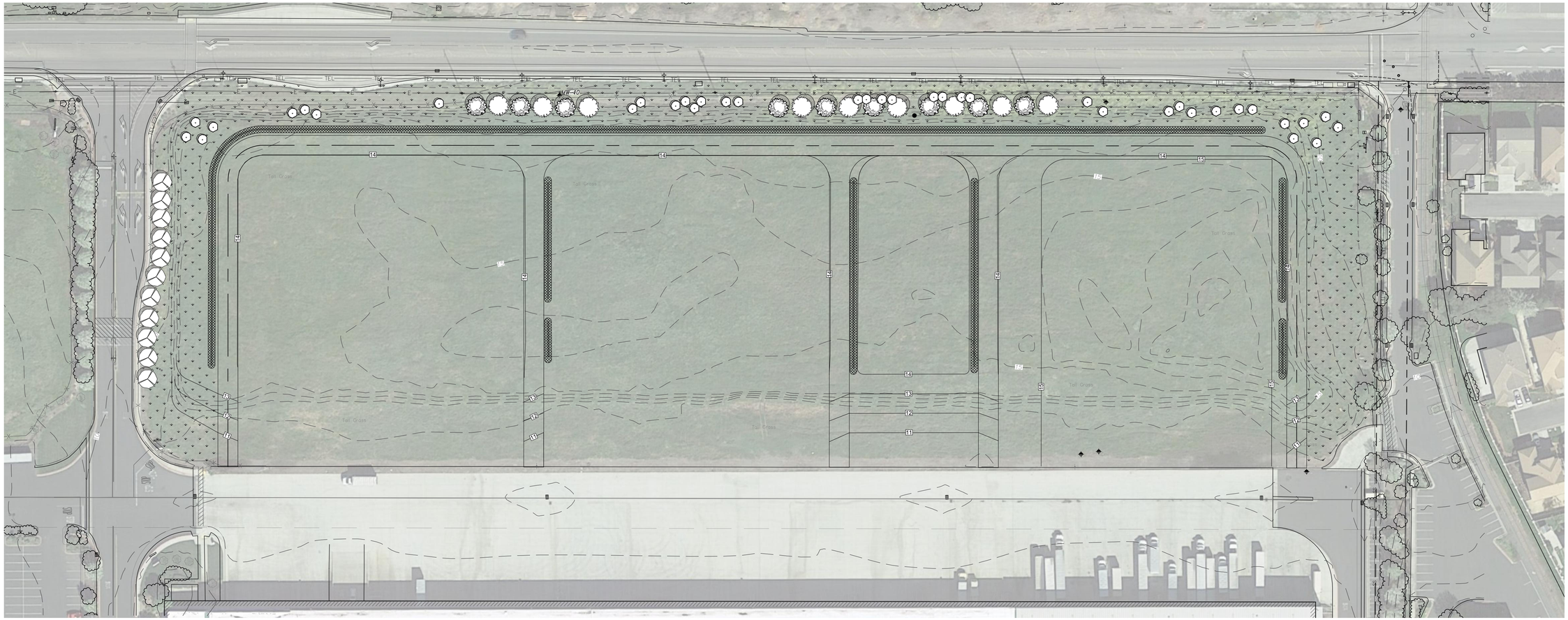
PROJECT:

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-467-7169
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

TRC Results you can rely on

SHEET NO: C-7



LANDSCAPE CONCEPT

The landscape concept for Diablo Energy, LLC includes small canopy trees in combination with groups of low to medium height flowering shrubs and ground cover in an arrangement to blend with existing adjacent driveway landscaping, shield views of outdoor electrical equipment and provide a water efficient aesthetic frontage on Willow Pass Road. The suggested plant palette is comprised of drought tolerant species with evergreen foliage. An existing row of trees and driveway edge landscaping at the east side of the site will be left in place. On the west driveway edge, trees and groundcover is proposed to mirror the landscaping plan on the opposite side of the driveway offsite. Clustered trees and shrubs with ground cover is proposed for the Willow Pass frontage.

Two types of tree species are shown - a canopy tree and a flowering accent tree. Suggested trees have evergreen foliage; however an alternative accent tree with deciduous foliage is also included. All suggested trees are listed on the Contra Costa County Landscape Standards as suitable for planting under utility lines (2012).

Site areas: 11.85 acres (net); 10.44 acres (gross)
Total Existing Landscape: 0 sq. ft.
Additional Proposed Landscaped Area: 88,000 sq. ft.
Source of Irrigation Water: City of Pittsburg Potable Water Supply

NOTES:

1. Landscape shall incorporate best management practices for water efficient design consistent with Pittsburg Municipal Code 18.84.310.

2. Automated irrigation controllers shall be provided that utilize daily weather information, evapotranspiration data or soil moisture sensor data, along with other site information, to adjust the irrigation schedule on a daily basis.

3. Irrigation shall be designed and implemented to prevent excessive runoff, overspray or other water waste.

4. Final irrigation system design shall be under the direction of a licensed landscape architect or civil engineer.

5. Planting sizes shall not be less than 15-gallon containers specimens for trees, five-gallon container specimens for shrubs, and one-gallon container specimens for mass planting.

6. Medium bark mulch to a depth of 3 inches will be applied within the planting area for water conservation and weed suppression where live groundcover is not used.

7. Landscaping within the Willow Pass Road right-of-way will be installed and maintained by the Applicant.

8. Water meter shall be located on the property at a location approved to by the City of Pittsburg.

9. All planting areas are designed as a single hydrozone

10. Landscaping layout is conceptual and subject to change during final design.

11. Landscaping installation will be consistent with project construction phasing.

PLANT LEGEND

SYMBOL	TYPE AND FORM	APPROXIMATE QUANTITY	SUGGESTED SPECIES	CONTAINER SIZE	APPROXIMATE MAXIMUM HEIGHT/SPREAD
	Small canopy, broad leaf evergreen tree	11	Species to match existing landscape on west side of driveway	15 gallon	25'/25' 25'/25' 20'/20'
	Small canopy, broad leaf evergreen tree	9	Arbutus unedo (Strawberry Tree), or Rhu lancea (African Sumac), or Eriobotrya deflexa (Bronze Loquat)	15 gallon	25'/25' 25'/25' 20'/20'
	Small, broad leaf evergreen flowering accent tree (alternate species has deciduous foliage)	9	Pyrus kawakamii (Evergreen Pear), or Lagerstroemia indica x fauriei 'Natchez' (Natchez Crape Myrtle)	15 gallon	20'/20' 25'/25'
	Small, broad leaf evergreen shrub	38	Ceanothus griseus horizontalis 'Yankee Point' (Wild Lilac), and Rosmarinus officinalis 'Prostratus' (Dwarf Rosemary), or Rhaphiolepis indica 'Jack Evans' (Indian Hawthorn)	5 gallon	2'-3'/10'-12' 2'/4'-8' 4'-5'/4'
	Groundcover		Water efficient groundcover to be approved in final landscaping plan		
	Bioretention		Species to match existing landscape on west side of driveway		
	Existing Tree / Shrub / Landscape		Species to be approved in final landscaping plan		

N

50 ft 0 50 ft 100 ft

SHEET SIZE 24"x36" - SCALE: 1"=50'

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0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

TITLE: CONCEPTUAL LANDSCAPING PLAN

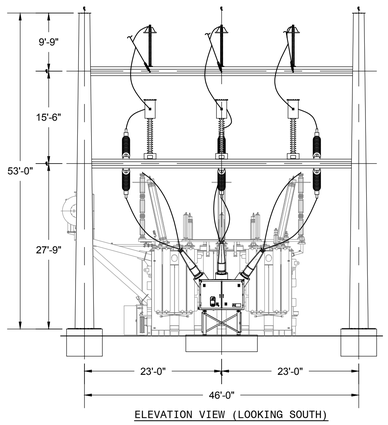
PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

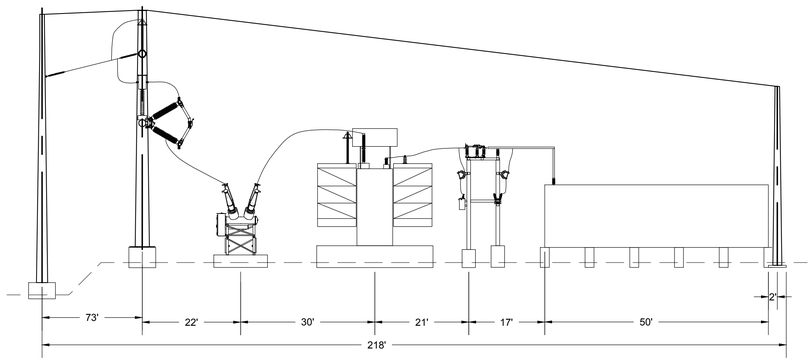
ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-697-7169
jstenger@trcsolutions.com

TRC Results you can rely on

SHEET NO. C-8

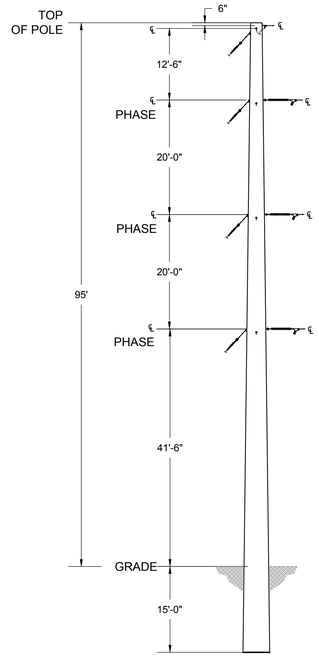


ELEVATION VIEW (LOOKING SOUTH)

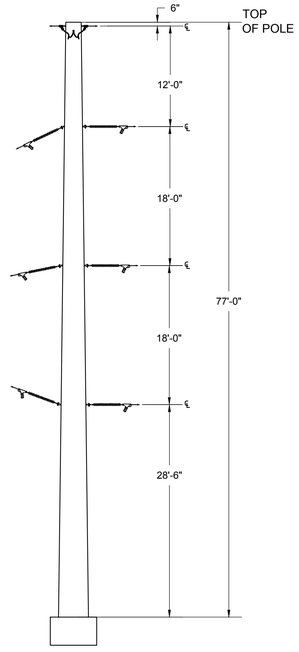


ELEVATION VIEW (LOOKING EAST)

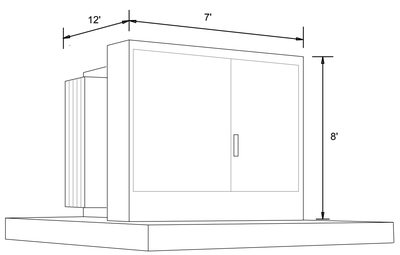
1 SUBSTATION
NOT TO SCALE



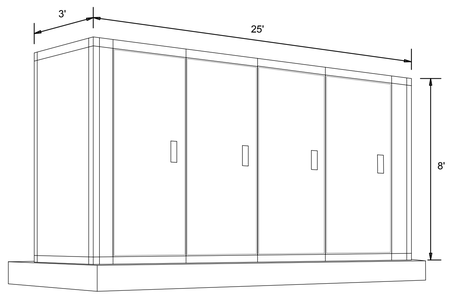
2 OVERHEAD ELECTRIC LINE TURNING POLE
NOT TO SCALE



3 DOUBLE DEAD END ELECTRIC LINE POLE
NOT TO SCALE



4 PADMOUNT TRANSFORMER (TYP.)
NOT TO SCALE



5 INVERTER EQUIPMENT ENCLOSURE (TYP.)
NOT TO SCALE

REV	DATE	DESCRIPTION	BY	CHKD	APP.
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

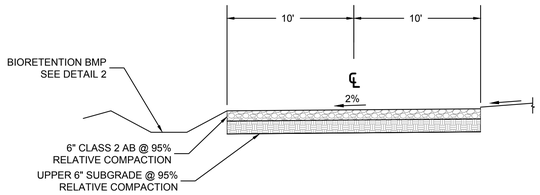
TITLE: ELECTRICAL DETAILS

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-727-9336
FAX: 949-727-7165
jstenger@trcsolutions.com

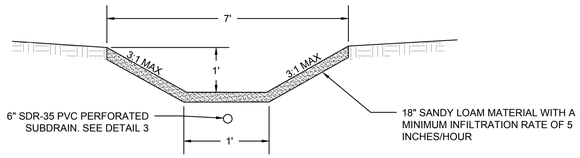
OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5230
FAX: 925-201-5230

SHEET NO: C-9



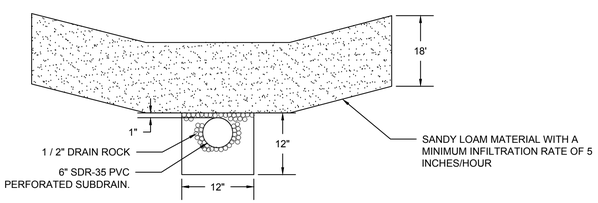
1 CLASS II AGGREGATE BASE SURFACE DRIVEWAY (TYP.)

NOT TO SCALE



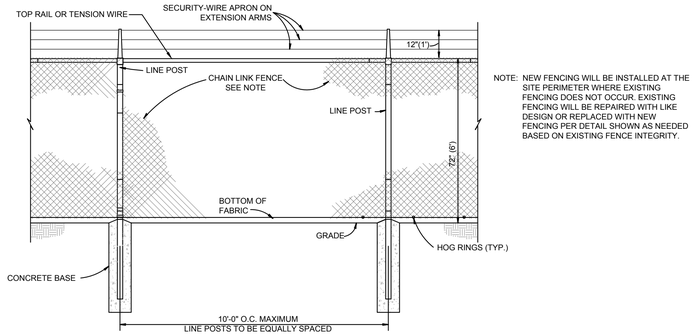
2 BIORETENTION BMP, TYP

NOT TO SCALE



3 6" SUBDRAIN UNDER BIORETENTION FACILITY, TYP

NOT TO SCALE



NOTE: NEW FENCING WILL BE INSTALLED AT THE SITE PERIMETER WHERE EXISTING FENCING DOES NOT OCCUR. EXISTING FENCING WILL BE REPAIRED WITH LIKE DESIGN OR REPLACED WITH NEW FENCING PER DETAIL SHOWN AS NEEDED BASED ON EXISTING FENCE INTEGRITY.

4 PROPOSED FENCING

NOT TO SCALE

REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

TITLE: ROADWAY, DRAINAGE AND FENCE DETAILS

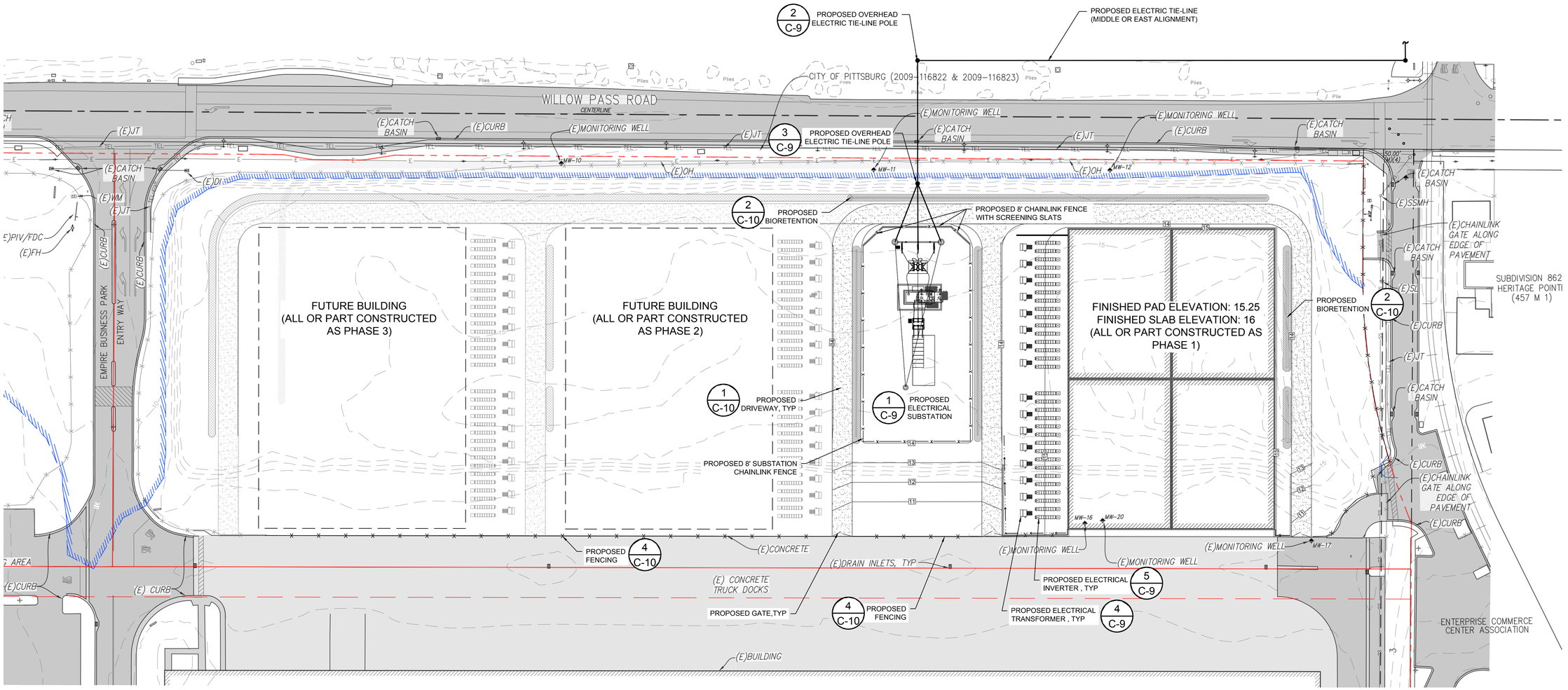
PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-697-7769
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5043
FAX: 925-201-5230

SHEET NO. C-10

REV.	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS



SHEET SIZE 24"x36" - SCALE: 1"=50'

TITLE: CONSTRUCTION PHASING

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: 949-467-7165
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5230
FAX: 925-201-5230

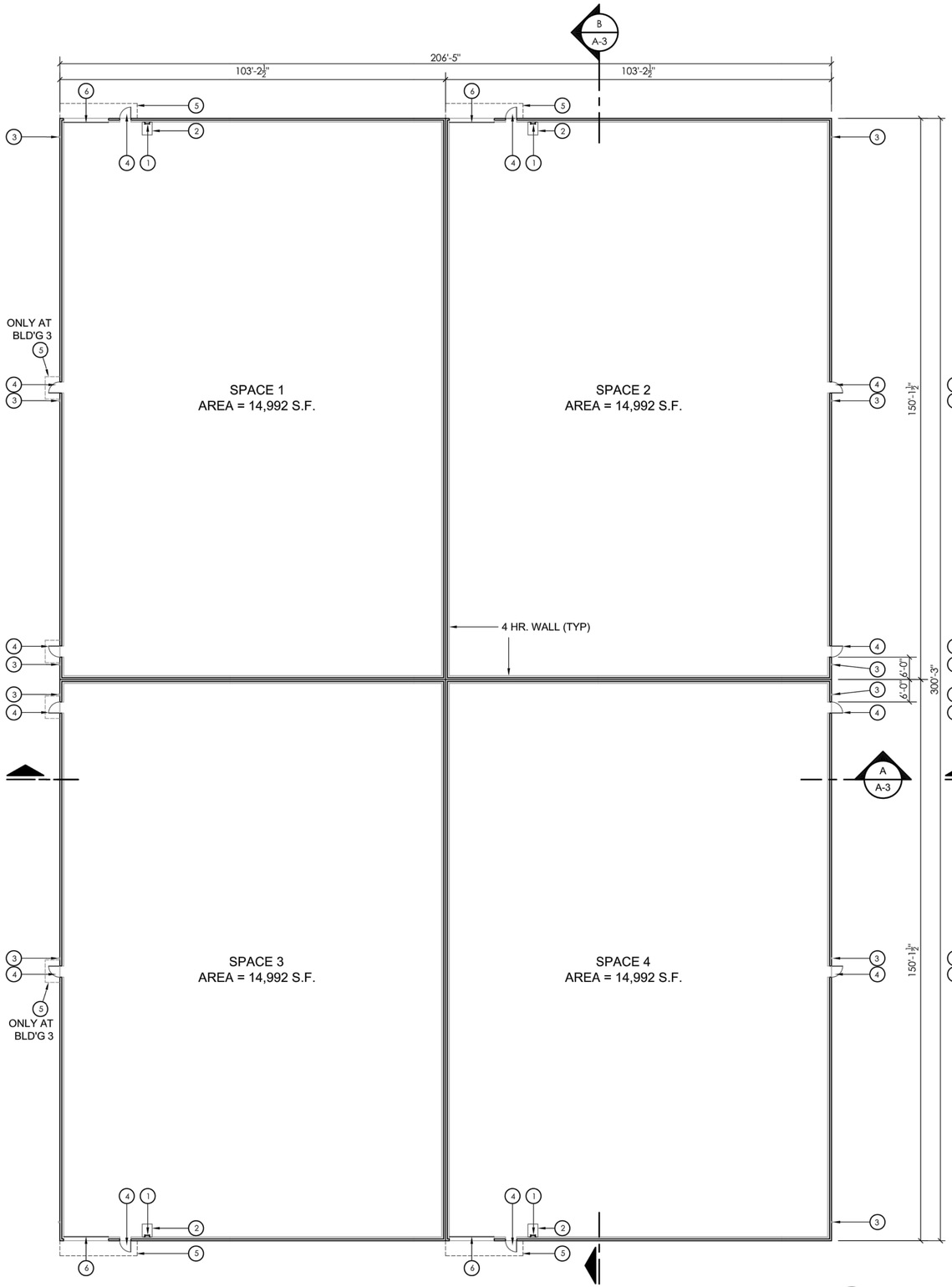
TRC Results you can rely on

SHEET NO: C-11

KEY NOTES

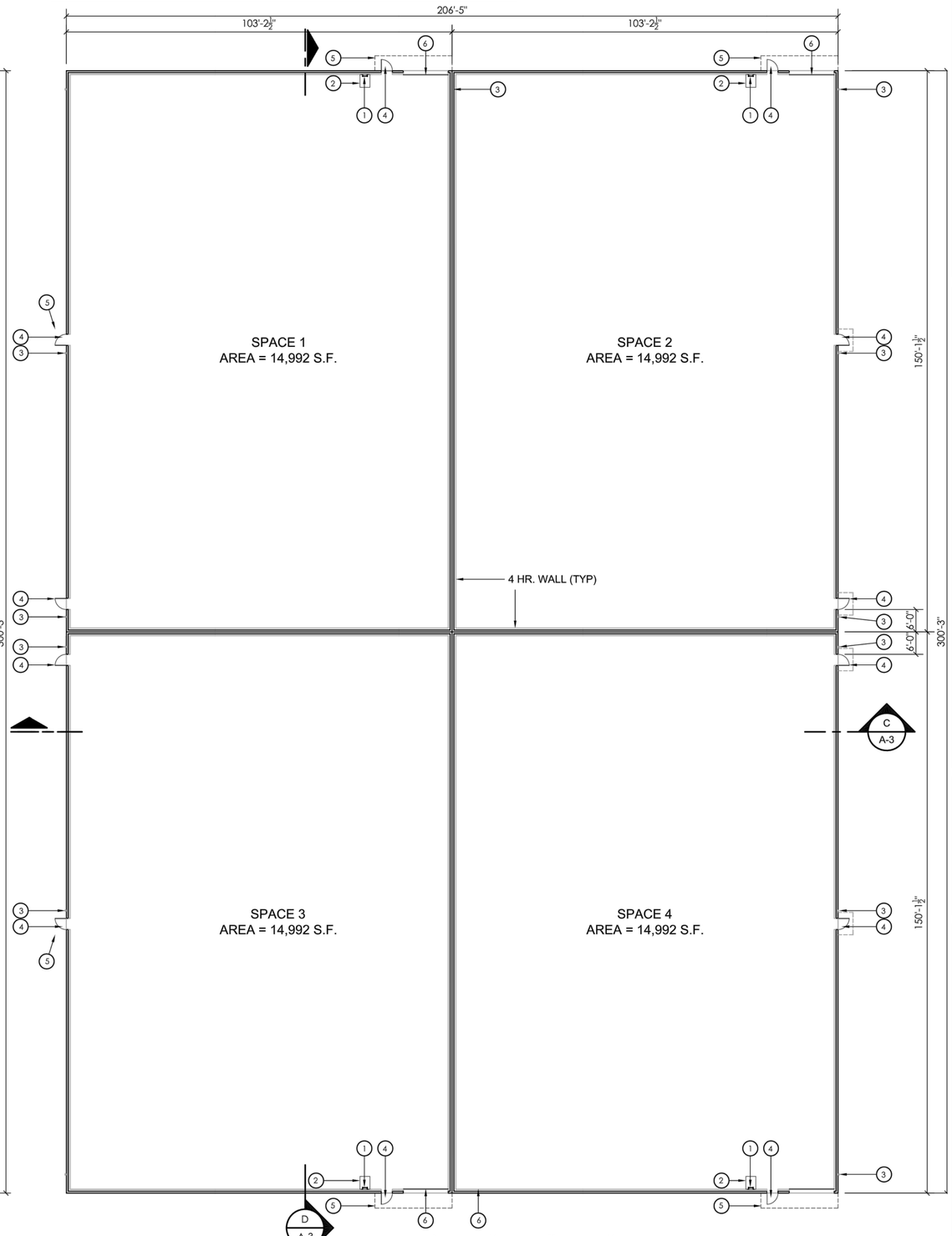
1. ROOF ACCESS LADDER
2. ROOF ACCESS HATCH ABOVE
3. DOWNSPOUT LOCATION
4. METAL DOOR
5. DOOR AWNING PROJECTION
6. 12' x12' METAL ROLL-UP DOOR

CBC Notes:
Occupancy - H-2
Construction - Type B - Sprinkled



TYPICAL FLOOR PLAN - BUILDING - 2 - 3

SCALE : 1/16" = 1'-0"



FLOOR PLAN - BUILDING 1

SCALE : 1/16" = 1'-0"

REV	DATE	DESCRIPTION	BY	CHKD	APP.
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

TITLE: TYP. FLOOR PLAN BUILDING 1-2-3

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

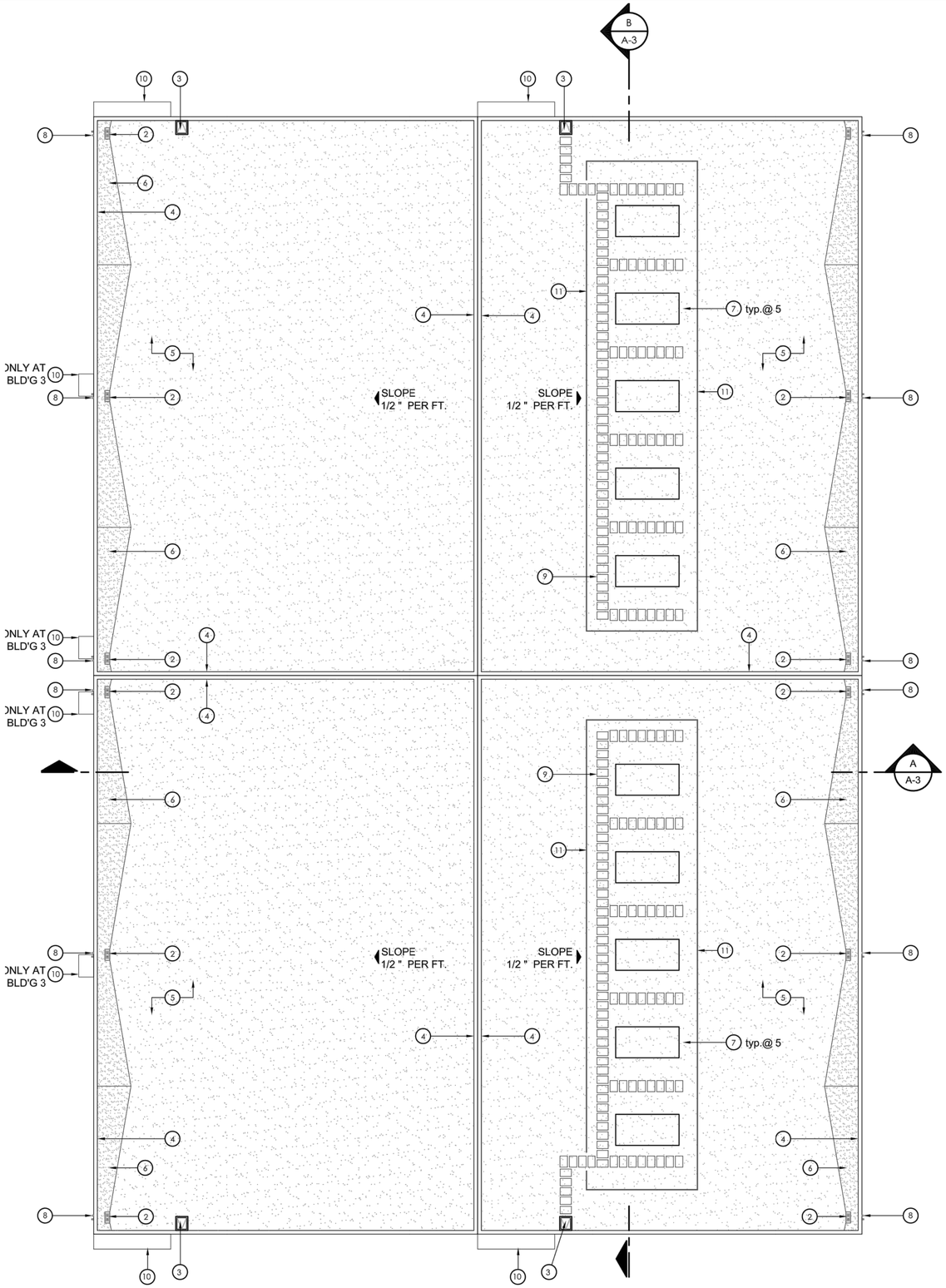
ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CALIFORNIA 92614
PH: 949-697-7169
jstenger@trcsolutions.com

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5240
FAX: 925-201-5230

SHEET NO: A-1

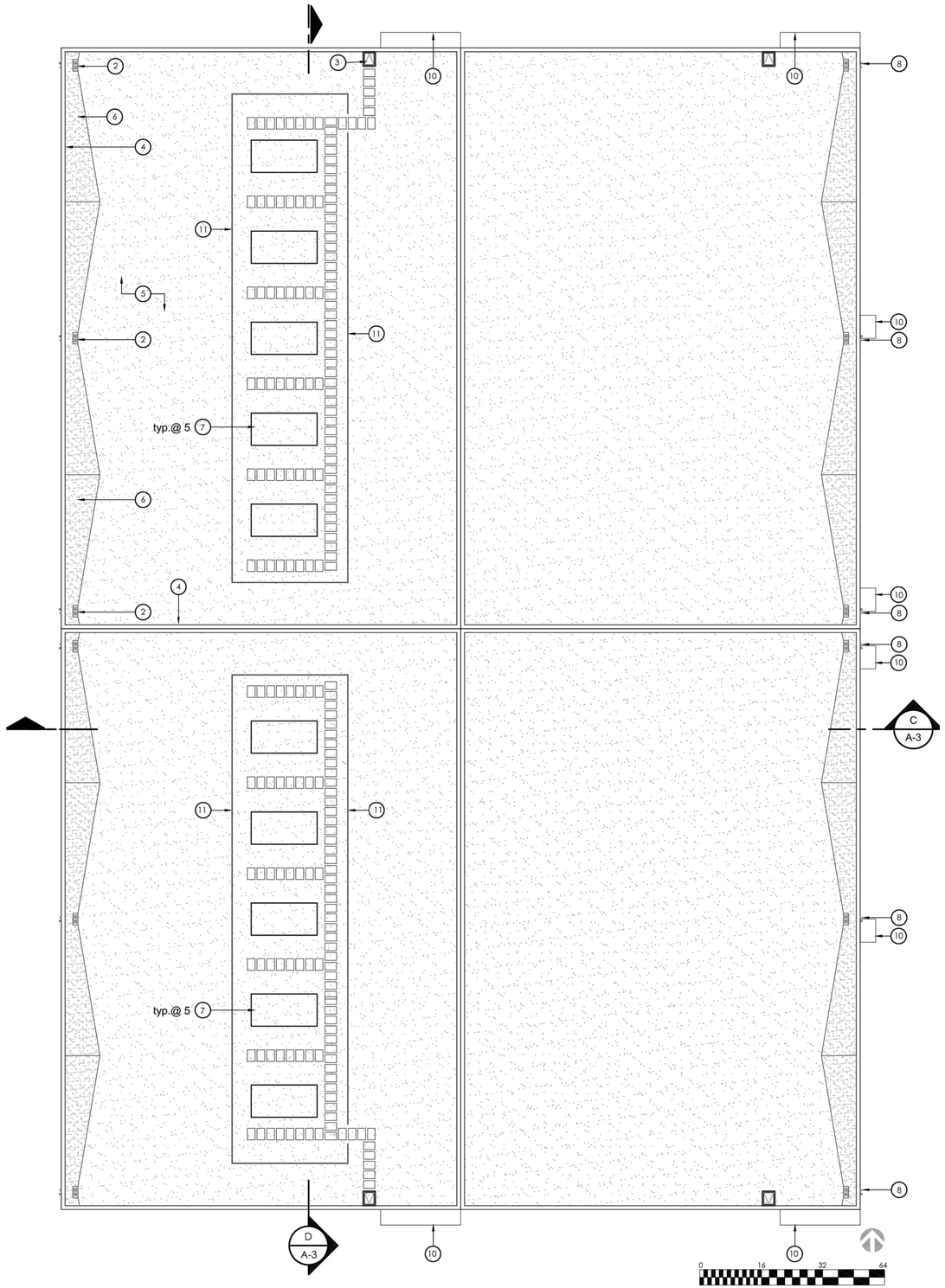
KEY NOTES

1. ROOF ACCESS LADDER
2. ROOF DRAIN AND OVERFLOW
3. ROOF ACCESS HATCH
4. PARAPET WALL
5. BUILT-UP ROOF
6. ROOF CRICKET
7. MECHANICAL UNITS
8. DOWNSPOUT
9. ROOF TRAFFIC PADS
10. DOOR AWNING
11. VENTED METAL MECHANICAL SCREEN SYSTEM



TYPICAL ROOF PLAN - BUILDING 2 - 3

SCALE : 1/16" = 1'-0"



ROOF PLAN - BUILDING 1

SCALE : 1/16" = 1'-0"

REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

TITLE: ROOF PLAN - BUILDING 1-2-3

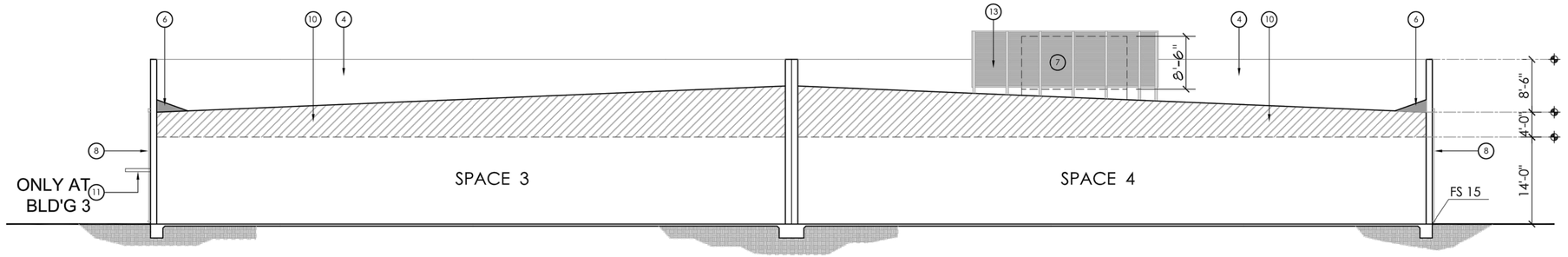
PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

OWNER/APPLICANT:
DIABLO ENERGY STORAGE, LLC
5000 HOPYARD ROAD, SUITE #480
PLEASANTON, CA 94588
PH: 925-201-5249
FAX: 925-201-5230

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
IRVINE, CA 92614
PH: (949) 727-7399
jstenger@trcsolutions.com

TRC
Results you can rely on

SHEET NO. A-2



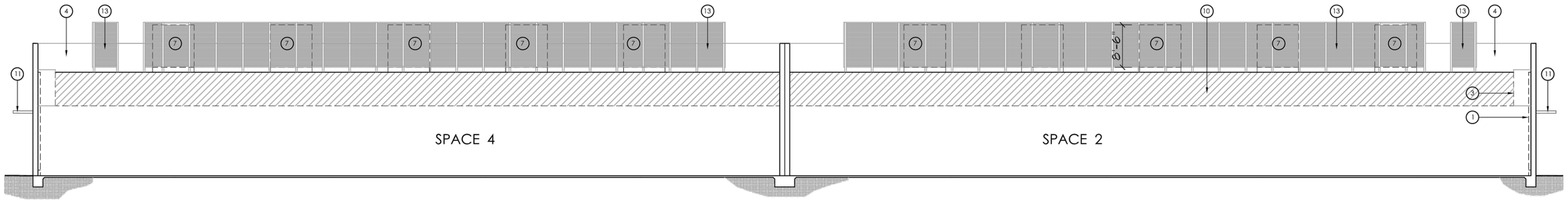
BUILDING SECTION - A - BUILDING 2 - 3

SCALE : 1" = 10'-0"

KEY NOTES

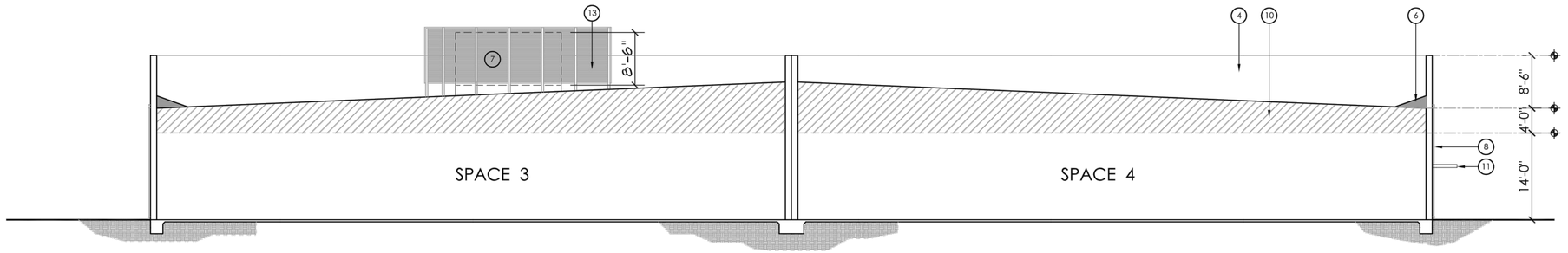
1. ROOF ACCESS LADDER
2. ROOF DRAIN AND OVERFLOW
3. ROOF ACCESS HATCH
4. PARAPET WALL
5. ROOF TRAFFIC PADS
6. ROOF CRICKET
7. MECHANICAL UNITS
8. DOWNSPOUT
9. ROOF TRAFFIC PADS
10. STRUCTURE SPACE
11. DOOR AWNING
12. METAL DOOR
13. VENTED METAL MECHANICAL SCREEN SYSTEM

REV.	DATE	DESCRIPTION	BY	CHKD	APP.
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS



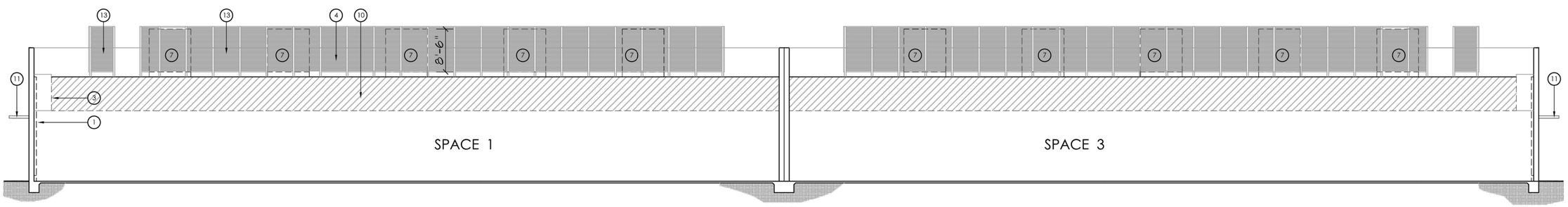
BUILDING SECTION - B - BUILDING - 2 - 3

SCALE : 1" = 10'-0"



BUILDING SECTION - C - BUILDING 1

SCALE : 1" = 10'-0"



BUILDING SECTION - D - BUILDING 1

SCALE : 1" = 10'-0"

TITLE: BUILDING SECTIONS - BUILDING 1-2-3

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
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OWNER/APPLICANT:
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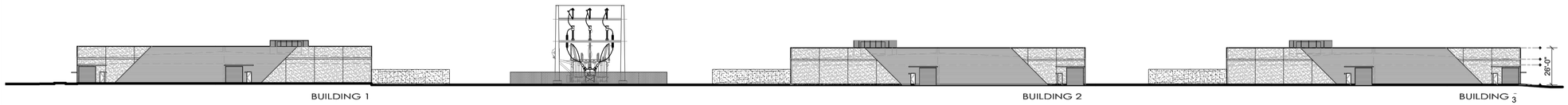
PLEASANTON, CA 94588
PH: 925-201-5340
FAX: 925-201-5230

SHEET NO: A-3

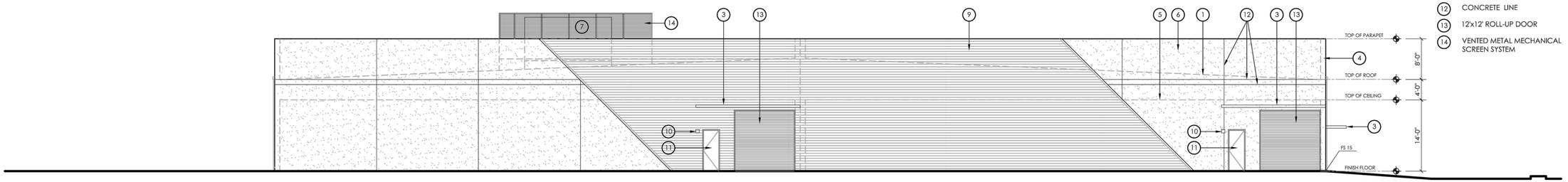


OVERALL - NORTH STREET ELEVATION - BUILDING 1 - 2 - 3

SCALE : 1" = 40'

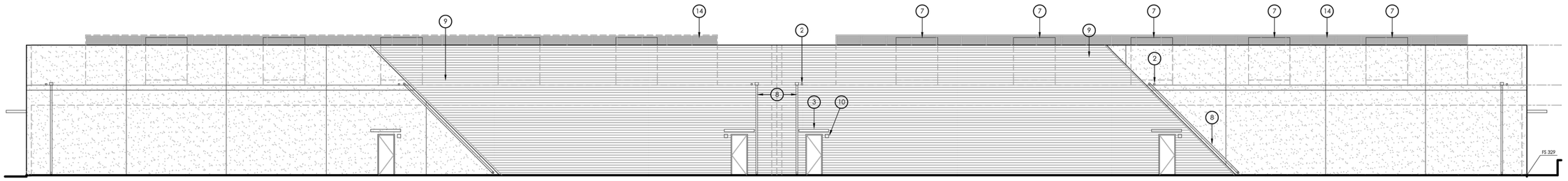
KEY NOTES

1. LINE OF ROOF
2. ROOF DRAIN OVERFLOW
3. DOOR AWNING
4. PARAPET WALL
5. TOP OF CEILING
6. TILT UP CONCRETE WALLS
7. MECHANICAL UNITS
8. DOWNSPOUT
9. METAL PANELS
10. LIGHT FIXTURE
11. METAL DOOR
12. CONCRETE LINE
13. 12'x12' ROLL-UP DOOR
14. VENTED METAL MECHANICAL SCREEN SYSTEM



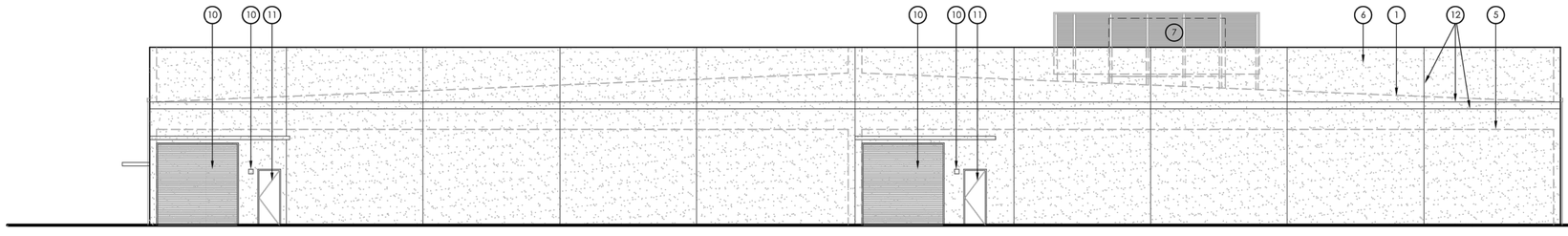
NORTH ELEVATION - BUILDING 2 -3 - 1 (REVERSE)

SCALE : 1" = 10'



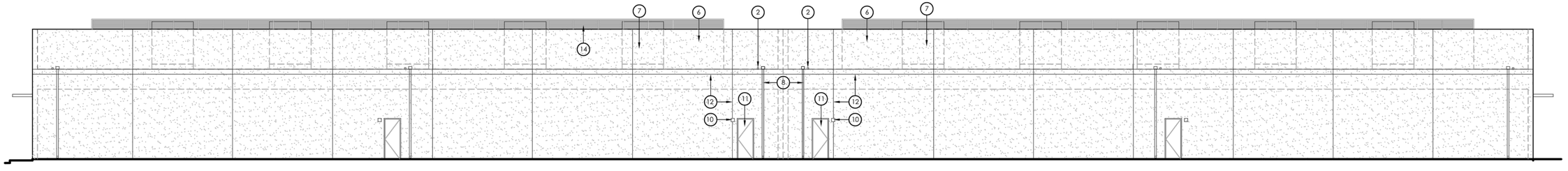
WEST ELEVATION - BUILDING 3 AND EAST ELEVATION - BUILDING - 1

SCALE : 1" = 10'



SOUTH ELEVATION - BUILDING 2 -3 - 1 (REVERSE)

SCALE : 1" = 10'



WEST ELEVATION - BUILDING 1 -2 / EAST ELEVATION - BUILDING 2 - 3

SCALE : 1" = 10'

REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

TITLE: EXTERIOR ELEVATIONS

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
TRC SOLUTIONS, INC
17911 VON KARMAN AVENUE, SUITE 400
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PH: 949-697-7216
jstenger@trcsolutions.com

OWNER/APPLICANT:
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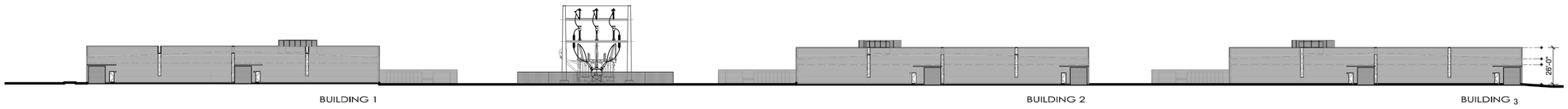
5000 HOPYARD ROAD SUITE #480
PLEASANTON, CA 94588
PH: 925-201-0340
FAX: 925-201-9230

SHEET NO. A-4



OVERALL - ALTERNATE - NORTH STREET ELEVATION - BUILDING 1 - 2 - 3

SCALE : 1" = 40'

KEY NOTES

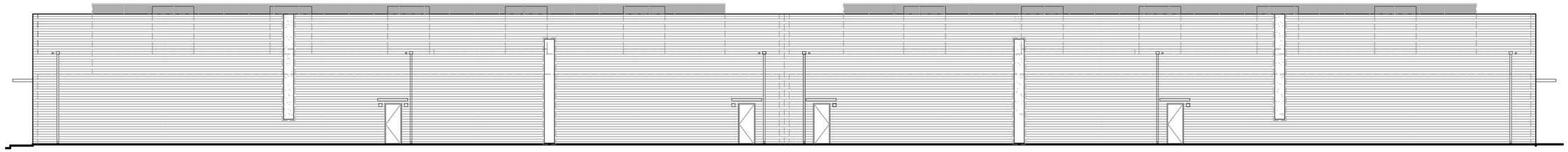
1. LINE OF ROOF
2. ROOF DRAIN OVERFLOW
3. DOOR AWNING
4. PARAPET WALL
5. TOP OF CEILING
6. TILT UP CONCRETE WALLS
7. MECHANICAL UNITS
8. DOWNSPOUT
9. SHEET METAL PANELS
10. LIGHT FIXTURE
11. METAL DOOR
12. CONCRETE LINE
13. VENTED METAL MECHANICAL SCREEN SYSTEM



ALTERNATE NORTH ELEVATION - BUILDING 2 -3 - 1 (REVERSE)

SCALE : 1" = 10'

NOTE: Illustration of alternate building exterior design employing the use of steel framing exterior walls and metal cladding exterior material.



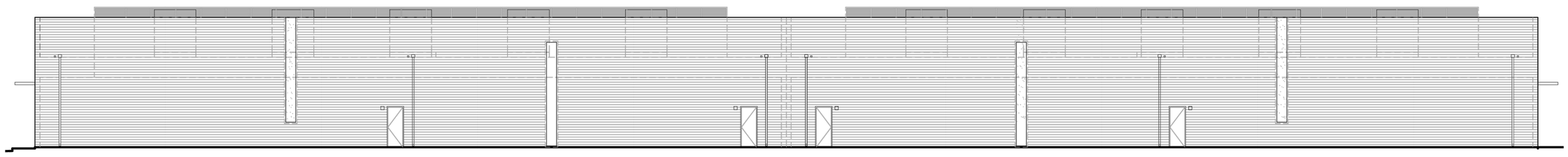
ALTERNATE ELEVATION - BUILDING 1- EAST and BUILDING 3 - WEST

SCALE : 1" = 10'



ALTERNATE SOUTH ELEVATION - BUILDING 2 -3 - 1 (REVERSE)

SCALE : 1" = 10'



ALTERNATE ELEVATION - BUILDING 2- EAST and WEST

REV	DATE	DESCRIPTION	BY	CHKD	APP'D
0	08/29/17	INITIAL SUBMITTAL TO CITY OF PITTSBURG	VL	SH	JS
1	01/12/18	MINOR DESIGN UPDATES INCORPORATED	VL	SH	JS

TITLE: EXTERIOR ELEVATIONS ALTERNATE

PROJECT: DIABLO ENERGY STORAGE
APN 085-280-010
701 WILLOW PASS ROAD, PITTSBURG, CA

ENGINEER:
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SHEET NO: A-5

Appendix B

CalEEMod Input and Output Summary

DIABLO ENERGY STORAGE PROJECT
WORST-CASE PEAK DAILY CONSTRUCTION EMISSIONS

The Diablo Energy Storage Project (Project) is proposed for construction in the City of Pittsburg, California, within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD).

The Project is expected to take 6 to 12 months to construct. During construction, the Grading Phase is expected to produce the maximum daily construction emissions. Therefore, peak daily construction emissions have been estimated based upon construction activities during the Grading Phase.

The Grading Phase is expected to include approximately 15 total work days taking place over approximately three weeks. Diesel exhaust is assumed to emit no more than Tier 2 equipment. Disturbed surfaces that are not stabilized will be watered twice per day, or other equally effective palliative will be used, and ground cover will be replaced as soon as reasonably possible. The following equipment was included in the emission calculation:

- 1x Bulldozer (247 Horsepower [HP]) @ 6 hours per day
- 1x Grader (187 HP) @ 6 hours per day
- 2x Scrapers (367 HP each) @ 6 hours per day
- 1x Water Truck (402 HP) @ 6 hours per day
- 1x Self- Propelled Compactor (80 HP) @ 6 hours per day
- 1x Dump truck (402 HP each) @ 6 hours per day
- 1x Tractor/Loader/Backhoe (97 HP) @ 6 hours per day
- 1x Bobcat (65 HP) @ 6 hours per day

Emissions were calculated using the California Emissions Estimator Model (CalEEMod), version 2016.3.1 in accordance with BAAQMD guidance. The calculated peak daily emissions are provided below.

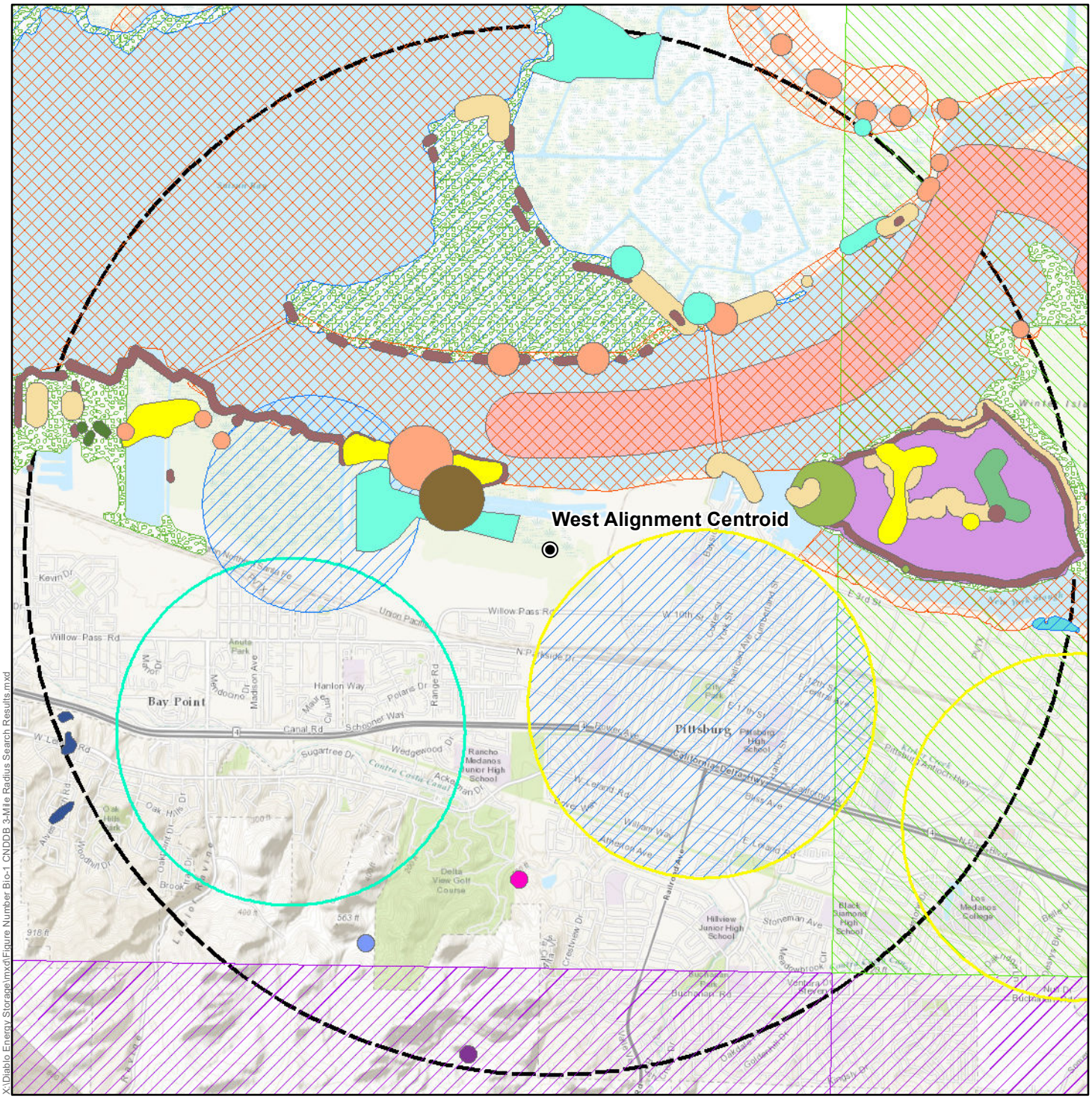
Peak Daily Emissions (pounds per day)

	ROG	CO	NOx	SO2	Fugitive PM10	Exhaust PM10	Fugitive PM2.5	Exhaust PM2.5
Emissions	5.4	34.3	45.9	0.1	3.8	2.3	1.5	2.1
Thresholds[1]	54	None	54	None	None	82	None	54
Significant?	No	NA	No	NA	NA	No	NA	No

[1] Source: BAAQMD, *CEQA Guidelines*, May 2017, http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines

Appendix C

Sensitive Species Occurrences within Three Miles



- West Alignment Centroid
- CNDDB 3-Mile Radius

CNDDB Occurrences

- Alameda whipsnake
- Antioch Dunes evening-primrose
- Bolander's water-hemlock
- California black rail
- California least tern
- California red-legged frog
- California tiger salamander
- Coastal Brackish Marsh
- Contra Costa wallflower
- Delta mudwort
- Delta tule pea
- Lange's metalmark butterfly
- Mason's lilaeopsis
- Suisun Marsh aster
- Suisun song sparrow
- big tarplant
- burrowing owl
- longfin smelt
- round-leaved filaree
- salt-marsh harvest mouse
- saltmarsh common yellowthroat
- soft salty bird's-beak
- steelhead - Central Valley DPS
- western bumble bee
- western pond turtle

Figure Number BIO-1
CNDDB 3-Mile Radius Search
West Tie-Line Alignment
Diablo Energy Storage, LLC

TRC Results you can rely on

N

0 1 2 Miles

1:52,000

8/29/2017

SPECIAL STATUS PLANT SPECIES WITH POTENTIAL TO OCCUR IN THE PROJECT VICINITY

Scientific Name **Common Name**	**Status**		**Habitat Requirements**	**Potential for Occurrence**
Amsinckia grandiflora Large-flowered fiddleneck	Fed: CA: CNPS:	FE SE 1B.1	Annual herb. Habitat includes cismontane woodland, and valley and foothill grassland. Blooms (March) April-May. Elevation 270-550 meters.	**No Potential:** Typical habitat not present in the project area. Species known from higher elevations and different vegetation communities than present in the project area.
Blepharizonia plumosa Big tarplant	Fed: CA: CNPS:	None None 1B.1	Annual herb. Habitat includes clay soils in valley and foothill grassland. Blooms July-October. Elevation 30-505 meters.	**No Potential:** Typical habitat not present within the project area. Species known from higher elevations and different vegetation communities than present in the project area.
California macrophylla Round-leaved filaree	Fed: CA: CNPS:	None None 1B.2	Annual herb. Habitat includes clay soils in cismontane woodland, and valley and foothill grassland. Elevation 15-1200 meters.	**No Potential:** Typical habitat not present within the project area. Species known from higher elevations and different vegetation communities than present in the project area.
Chloropyron molle ssp. *molle* Soft salty bird's-beak	Fed: CA: CNPS:	FE SR 1B.2	Hemiparasitic annual herb. Habitat includes coastal salt marshes and swamps. Blooms June-November. Elevation 0-3 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Cicuta maculata var. *bolanderi* Bolander's water hemlock	Fed: CA: CNPS:	None None 2B.1	Perennial herb. Habitat includes marshes and swamps with coastal, fresh, or brackish water. Blooms July-September. Elevation 0-200 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat of within the typical elevation range of this species.
Erysimum capitatum var. *angustatum* Contra Costa wallflower	Fed: CA: CNPS:	FE SE 1B.1	Perennial herb. Habitat includes inland dunes. Blooms March-July. Elevation 3-20 meters.	**Low Potential**: Inland dunes are not present. Project area elevations are generally at or below the low end of the range for this species.
Lathyrus jepsonii var. j*epsonii* Delta tule pea	Fed: CA: CNPS:	None None 1B.2	Perennial herb. Habitat includes marshes and swamps with fresh or brackish water. Blooms May-July (August-September). Elevation 0-5 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.

Limosella australis Delta mudwort	Fed: CA: CNPS:	None None 2B.1	Perennial stoloniferous herb. Habitat usually mud banks. Also found in riparian scrub, and marshes and swamps with fresh or brackish waters. Blooms May-August. Elevation 0-3 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Lasthenia conjugens Contra Costa goldfields	Fed: CA: CNPS: CRPR:	FE None 1B.1	Annual herb. Habitat is mesic areas including cismontane woodland, alkaline playas, valley and foothill grassland, and vernal pools. Blooms March-June. Elevation 0-470 meters.	**Low Potential**: Habitat typical of this species is not present.
Lilaeopsis masonii Mason's lilaeopsis	Fed: CA: CNPS:	None SR 1B.1	Perennial rhizomatous herb. Habitat is marshes and swamps with fresh or brackish water, and riparian scrub. Blooms April-November. Elevation 0-10 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Neostapfia colusana Colusa grass	Fed: CA: CNPS:	FT SE 1B.1	Annual herb. Habitat is vernal pools (typically large). Blooms May-August. Elevation 5-200 meters.	**Low Potential**: Habitat typical of this species is not present. Elevation of project area below the typical range for this species.
Oenothera deltoides ssp. *howellii* Antioch dunes evening-primrose	Fed: CA: CNPS:	FE SE 1B.1	Perennial herb. Habitat is inland dunes. Blooms March-September. Elevation 0-30 meters.	**No Potential**: No dune habitat is present in the project area.
Sidalcea keckii Keck's checkerbloom	Fed: CA: CNPS:	FE None 1B.1	Annual herb. Habitat soil often clay or serpentinite. Habitat is cismontane woodland, and valley and foothill grassland. Blooms April-May (June). Elevation 75-650 meters.	**No Potential:** Typical habitat not present within the project area. Species known from higher elevations than the project area.
Symphyotrichum lentum Suisun marsh aster	Fed: CA: CNPS:	None None 1B.2	Perennial rhizomatous herb. Habitat is marshes and swamps with fresh or brackish water. Blooms (April) May-November. Elevation 0-3 meters.	**Moderate Potential**: The project area may be within marsh or wetland habitat of within the typical elevation range of this species.

Federal Designations:
FE = Federal Endangered
FT=Federal Threatened
FC=Candidate for Federal Listing
BCC = USFWS Bird of Conservation Concern

California Rare Plant Ranks (CRPR):
1A: Presumed extirpated in California and rare or extinct elsewhere
1B: Rare, threatened, or endangered in California and elsewhere
2A: Presumed extirpated in California, but more common elsewhere
2B: Rare, threatened, or endangered in California, but more common elsewhere

	3: Review list of plants requiring more study **4:** Watch list of plants of limited distribution
CA State Designations: SE=State Endangered ST= State Threatened SR = State Rare SFP = State-Fully Protected SSC= Species of Special Concern WL = Watch List Species	**California Native Plant Society (CNPS) Threat Code:** **.1:** Seriously threatened in California **.2:** Moderately threatened in California **.3:** Not very threatened in California

References

California Native Plant Society, Rare Plant Program. 2017. *Inventory of Rare and Endangered Plants of California* (online edition, v8-03 0.39). California Native Plant Society, Sacramento, CA. http://www.rareplants.cnps.org (Accessed 8/31/17).

California Department of Fish and Wildlife. 2017. *California Natural Diversity Database, Rarefind*. https://map.dfg.ca.gov/rarefind/view/RareFind.aspx (Accessed 8/31/17).

U.S. Fish and Wildlife Service. 2017. *Information for Planning and Consultation* (IPaC). https://ecos.fws.gov/ipac/location/YGJLIYJGHZGKHPZYQLTSNZMSNA/resources (Accessed 8/31/17).

SPECIAL STATUS WILDLIFE WITH POTENTIAL TO OCCUR IN THE PROJECT VICINITY

Scientific Name **Common Name**	**Status**		**Habitat Requirements**	**Potential for Occurrence**
Fishes				
Oncorhynchus mykiss irideus Steelhead – Central Valley DPS	Fed: CA:	FT None	These include all populations in the Sacramento/San Joaquin River system and its delta. Found in cool, clear, fast-flowing waters, and are the most physiologically tolerant to of the salmonids.	**No Potential:** The project area does not contain appropriate aquatic habitat.
Hypomesus transpacificus Delta smelt	Fed: CA:	FT SE	Spawn in shallow fresh, or slightly brackish, waters. Found from Suisun Bay upwards through the Sacramento/San Joaquin River Delta.	**No Potential:** The project area does not contain the appropriate aquatic or open water estuarine habitat.
Spirinchus thaleichthys Longfin smelt	Fed: CA:	FC ST	Spend adult life in bays, estuaries, and nearshore coastal areas. Migrate to freshwater rivers to spawn. Found in mid-water to near the bottom following prey movement.	**No Potential:** The project area does not contain the appropriate aquatic or open water estuarine habitat.
Insects				
Elaphrus viridis Delta green ground beetle	Fed: CA:	FT None	To date found only in the greater Jepson Prairie area of Solano County. Preferred habitat appears to be a grassland-playa pool matrix.	**No Potential:** The project area does not contain the required habitat, and is outside of the known range of this species.
Apodemia mormo langei Lange's metalmark butterfly	Fed: CA:	FE None	To date is found only along the southern bank of the Sacramento-San Joaquin River in the Antioch sand dunes of Contra Costa County. All life stages occur near the host plant, which is buckwheat.	**Low Potential**: Dune habitat is not present in the Project area.
Desmocerus californicus dimorphus Valley elderberry longhorn beetle	Fed: CA:	FT None	Found on the host plant, which is red or blue elderberry, along streams and rivers in riparian forests.	**Low Potential:** The project area may contain the host elderberry plant however, the area is outside of the known range of this species.

Bombus occidentalis Western bumblebee	Fed: CA:	None None	Rare. Found in temperate regions such as meadows and prairies with an abundance of flowers.	**Low Potential**: The project area does not include typical habitat for this species.
Callophrys mossii bayensis San Bruno elfin butterfly	Fed: CA:	FE None	Habitat includes the rocky outcrops and cliffs in coastal scrub along the San Francisco peninsula. Live along north-facing slopes within the fog belt. Dependent on the host plant, *Sedum spathulifolium.*	**No Potential:** The project area does not contain the required habitat, and is outside of the known range of this species.
Invertebrates				
Branchinecta lynchi Vernal pool fairy shrimp	Fed: CA:	FT None	Require vernal pools or other seasonal wetlands that experience a drying cycle. Cysts may persist for years within the soil.	**Low Potential**: The project area may include seasonal wetland habitat but vernal habitat, if present, is anthropogenic and likely of low habitat value.
Lepidurus packardi Vernal pool tadpole shrimp	Fed: CA:	FE None	Require vernal pools or other seasonal wetlands that experience a drying cycle. Cysts may persist for years within the soil.	**Low Potential**: The project area may include marsh or wetland habitat of unknown quality, and composition. Likely presence of vernal pool habitat low.
Branchinecta conservatio Conservancy fairy shrimp	Fed: CA:	FE None	Require large, cool vernal pools with moderately turbid water. Hatch during the fall rainy season.	**No Potential**: The project area does not include typical habitat for this species.
Amphibians				
Ambystoma californiense California tiger salamander	Fed: CA:	FT ST	Require seasonal wetlands for breeding, and upland grassland areas with burrows for shelter and habitat as adults. Migrations correspond to the rain season in fall.	**Low Potential**: The project area does not is not conducive to providing the upland habitat needs for this species.
Rana draytonii California red-legged frog	Fed: CA:	FT SSC	Found in humid forests, woodlands, grasslands, coastal scrub and streamsides with plant cover. Usually in the lowlands or foothills.	**None**: The project area does not include typical habitat for this species.
Reptiles				
Actinemys marmorata Western pond turtle	Fed: CA:	None SSC	Found in slow moving streams, lakes, ponds, and wetlands.	**Moderate Potential**: The project area may include marsh or wetland habitat suitable for this species.

Masticophis lateralis euryxanthus Alameda whipsnake	Fed: CA:	FT ST	Found in chaparral habitats including northern coastal sage scrub and coastal sage. Utilize rock outcrops, rock crevices, and mammal burrows for hunting and shelter.	**No Potential:** The project area does not contain the required habitat, and is outside of the known range of this species.
Thamnophis gigas Giant garter snake	Fed: CA:	FT ST	Found in marshes, sloughs, drainage canals, irrigation ditches (rice fields), and slow moving creeks. Prefers vegetation next to water for basking and hunting, primarily tule grass.	**No Potential:** The project area does not contain the required habitat, and is outside of the known range of this species.
Birds				
Athene cunicularia Burrowing owl	Fed: CA:	BCC SSC	Utilize burrows created by ground squirrels, prairie dogs, or gopher tortoises. Require open vegetated habitats such as grassland or deserts. Can be found in abandoned urban areas.	**Low Potential:** Planning Survey results show the Project Site does not provide burrowing owl habitat. Some burrowing owl individuals could occur along the tie-line alignments, including urbanized areas
Geothlypis trichas sinuosa Saltmarsh common yellowthroat	Fed: CA:	BCC SSC	Require tall, emergent, and herbaceous wetlands. Utilize salt marshes east of the Carquinez Strait.	**Low Potential**: The project area may include marsh or wetland, but is outside of known range of this species.
Laterallus jamaicensis coturniculus California black rail	Fed: CA:	BCC ST; SFP	Utilize salt marshes, freshwater marshes, and wet meadows. Leaves the marsh during high tides, and requires dense vegetation to hide from predators within.	**Low Potential**: Area surrounded by anthropogenic disturbance and this species is highly secretive and cryptic. Vegetation in the Project area is not conducive to cover needed by this species.
Melospiza melodia maxillaris Suisun song sparrow	Fed: CA:	BCC SSC	Found in the brackish-marsh waters of Suisun Bay. Utilize a matrix of emergent vegetation including bulrush and cattails.	**Moderate Potential**: The project area may include marsh or wetland similar to locations of known occurrences in the vicinity.
Rallus obsoletus obsoletus California Ridgway's (clapper) rail	Fed: CA:	FE SE; SFP	Require the tidal marshes of the San Francisco Bay estuary. Forage on the open mud flats, and nest in dense marsh vegetation.	**Low Potential**: The project area may include marsh or wetland foraging habitat. Nesting requirements not anticipated to be met by the project area.
Sternula antillarum browni California least tern	Fed: CA:	FE SE; SFP	Require beaches, mudflats, or sand dunes that are near shallow estuaries or lagoons. Areas are often large and flat.	**No Potential**: Typical habitat requirements not met by the project area.

Mammals				
Reithrodontomys raviventris Salt-marsh harvest mouse	Fed: CA:	FE SE; SFP	Found in saline emergent wetlands of San Francisco Bay. Require salt marsh vegetation, primarily pickleweed. Nest in grasses, or utilize abandoned bird nests. Known population adjacent to project area.	**Moderate Potential**: The project area may include marsh or wetland habitat similar to a nearby area with a known SMHM population.
Vulpes macrotis mutica San Joaquin kit fox	Fed: CA:	FE ST	Habitat includes open desert, creosote bush flats, and sand dunes. Most individuals found in areas with less than 20 percent vegetation cover.	**No Potential:** The project area does not contain the required habitat, and is outside of the known range of this species.
Federal Designations FE = Federal Endangered FT=Federal Threatened FC=Candidate for Federal Listing BCC = USFWS Bird of Conservation Concern				**State Designations:** SE=State Endangered ST= State Threatened SFP = State-Fully Protected SSC= Species of Special Concern WL = Watch List Species

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Appendix D

Noise Technical Report

NOISE AND VIBRATION IMPACT ANALYSIS

DIABLO ENERGY STORAGE PROJECT

CITY OF PITTSBURG, CALIFORNIA

LSA

January 2018

609

NOISE AND VIBRATION IMPACT ANALYSIS

DIABLO ENERGY STORAGE PROJECT

CITY OF PITTSBURG, CALIFORNIA

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January 2018

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LIST OF ABBREVIATIONS AND ACRONYMS

µin/sec	microinches per second
µPa	micropascal
ADT	average daily traffic
CEQA	California Environmental Quality Act
CNEL	Community Noise Equivalent Level
dB	decibels
dBA	A-weighted decibels
EPA	United States Environmental Protection Agency
FHWA	Federal Highway Administration
ft	foot/feet
FTA	Federal Transit Administration
HP	horsepower
HVAC	heating, ventilation, and air conditioning
Hz	Hertz
in/sec	inches per second
L_{dn}	day-night average noise level
L_{eq}	equivalent continuous sound level
L_{max}	maximum instantaneous noise level
LSA	LSA Associates, Inc.
L_V	velocity in decibels
mi	miles
N/A	not applicable
PPV	peak particle velocity
project	Diablo Energy Storage Project
RCNM	Roadway Construction Noise Model
RMS	root-mean-square (velocity)
sf	square feet
Spec.	specification
VdB	vibration velocity decibels
VMS	variable message sign
V_{ref}	reference velocity amplitude

EXECUTIVE SUMMARY

This noise and vibration impact analysis has been prepared to evaluate the potential noise and vibration impacts and mitigation measures associated with the proposed Diablo Energy Storage Project located in the City of Pittsburg, California.

The proposed Diablo Energy Storage Project and associated discretionary actions collectively are the "project" assessed in this noise and vibration impact analysis. The project proposes to install one to three single-story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road. The buildings would house advanced energy storage technology (e.g. lithium batteries) which together with related control equipment including inverters, transformers and a small on-site electric substation, would be connected via a new tie-line to the existing PG&E substation located approximately 0.6 miles north of the project site.

This report discusses the characteristics of noise, the way in which it is measured, the physiological effects of noise, and provides a definition of acoustical terms. It also discusses vibration and human response to different levels of ground-borne and vibration. The report also summarizes federal, state and local standards and regulation regarding acceptable noise levels for specified land uses including residential use.

The existing sources of noise in the project civility include traffic noise from Willow Pass Road to the north industrial uses and the existing rail line to the south, and corona noise from the overhead power lines. Sound levels in the project vicinity were documented by noise measurements taken at five locations shown in Figure 3, including one at the property line of each of the three residential developments in the vicinity of the project site. As shown in Table I, the range of existing noise levels for these properties is 45.9 to 64.2 dBA L_{eq}.

The impact analysis evaluates the potential noise impacts that could occur during project construction including vibration impacts. It also characterizes the potential noise impacts during project operation and potential corona noise from the proposed overhead tin-in line that would connect to the existing PG&E substation.

CONSTRUCTION NOISE IMPACT SUMMARY

Construction is undertaken in discrete steps, each of which has its own mix of equipment, and consequently its own noise characteristics. These various sequential phases would change the character of the noise generated on the project site. Therefore, the noise levels vary as construction progresses. The composite noise level of the pieces of equipment during construction would be up to 89 dBA L_{eq} at a distance of 50 ft from the construction area. It is expected that noise levels at the residences 80 feet to the east would approach 85 dBA L_{eq}, construction impacts at residences 1,325 feet to the west would approach 61 dBA Leq, and construction impacts at residences 1,040 feet to the south would approach 63 dBA Leq. While construction-related short-term noise levels have the

potential to be higher than existing ambient noise levels in the project area today, the noise impacts would no longer occur once project construction is completed.

With the requirement of the project to comply with hours of operation restrictions outlined in the City of Pittsburg Municipal Code and the policies related to construction in the Noise Element of the General Plan, construction noise impacts would be reduced to the greatest extent feasible and would not cause a substantial impact to surrounding sensitive uses.

OPERATIONS NOISE IMPACT SUMMARY

Noise impacts associated with the long-term operation of the project must comply with the standards presented in the City's Noise Element, described above. A potential impact would occur if the noise impacts associated with operation of the proposed project increase existing ambient noise levels by 5 dBA L_{eq} or more.

Energy Storage Facility Noise Impact Summary

In order to calculate the expected impacts due to long-term operational stationary source activities, the software SoundPlan was used. SoundPlan is a noise modeling program that allows 3-D calculations to be made taking into account topography, ground attenuation, and shielding from structures and walls. More specifically, this also includes the existing wall that runs north-south and is located east of the project site and west of the existing single-family homes. It is expected that this wall will provide some reduction associated with the sources that are located closer to ground level, however, the wall has the potential to provide less reduction for elevated sources such as rooftop HVAC equipment. The eastern-most building would provide significant reduction from sources associated with the middle and western-most buildings.

Following the completion of all construction phases, the results of the analysis for each sensitive area in the vicinity of the project would be as follows:

- Residences East of Project Site: The existing average nighttime noise level is 57.9 dBA L_{eq}. With the implementation of the project, noise level impacts generated by the project would be 48.9 dBA L_{eq} resulting in composite noise level of 58.4 dBA L_{eq} with an overall increase of 0.5 dBA L_{eq}.

- Residences West of Project Site: The existing average nighttime noise level is 45.9 dBA L_{eq}. With the implementation of the project, noise level impacts generated by the project would be 44.5 dBA L_{eq} resulting in composite noise level of 48.1 dBA L_{eq} with an overall increase of 2.5 dBA L_{eq}.

- Residences South of Project Site: The existing average nighttime noise level is 61.8 dBA Leq. With the implementation of the project, noise level impacts generated by the project would be 46.1 dBA Leq resulting in composite noise level of 61.9 dBA Leq with an overall increase of 0.1 dBA Leq.

- Sidewalk North of Project Site: The existing average daytime noise level is 64.2 dBA Leq. With the implementation of the project, noise level impacts generated by the project would be 65.6 dBA Leq resulting in composite noise level of 68.0 dBA Leq with an overall increase of 3.8 dBA Leq.

These results show that the noise levels at all points around the project site would experience a future noise level increase less than 5 dBA; thus the project would not result in an impact to the existing sensitive receptors.

Corona Noise Impact Summary

In addition to the stationary sources on-site, the proposed project has the potential to create corona, or electro-static noise, along the proposed tie-in lines. The audible noise from the corona noise effect was calculated based on the Bonneville Power Administration (BPA) method provided in the Electric Power Research Institute (EPRI) Transmission Line Reference Book – 115 – 230 kV Compact Line Design. The results show that the noise level contributions at the nearest residences would be highly dependent on weather conditions, however, the potential corona noise levels would be very quiet, less than 20 dBA Leq, which would likely to be masked by existing ambient noise from other sources in the vicinity of the sensitive uses.

LOCATION AND DESCRIPTION

PROJECT LOCATION AND SURROUNDING USES

The project site is located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The Parcel is designated Business Commercial (BC) in the City of Pittsburg General Plan[1] and is zoned Industrial Park-Limited Overlay (IP-O). The proposed use would require a zoning text amendment to amend the IPO (Industrial Park with a Limited Overlay, Ord. No. 07-1284) District, or the "Empire Business Park Overlay District," such that a "major utility" would be permitted with a use permit. The proposed project site is currently vacant and undeveloped. Figure 1 indicates the project location, and Figure 2 is the project site plan.

The following describes the adjacent land uses:

- **North:** Willow Pass Road, existing tank farm, undeveloped land
- **East:** Existing single-family homes
- **South:** Existing industrial uses, existing rail line
- **West:** Vacant land with multiple over-head high-voltage power lines, and single-family homes farther west

PROJECT DESCRIPTION

The project proposes to install between one and three single-story buildings on a graded and vacant approximately 12 acre site as shown in Figure 2. The project may be constructed in one or more phases. For the purposes of this analysis, noise impacts were analyzed for three phases:

- Phase 1: Eastern-most building, associated transformers, inverters and rooftop-HVAC as well the substation and electric tie line.
- Phase 2: The addition of the middle building with associated transformers, inverters and rooftop-HVAC.
- Phase 3: The addition of the western-most building with associated transformers, inverters and rooftop-HVAC.

[1] City of Pittsburg, 2001. *General Plan Pittsburg 2020: A Vision for the 21st Century.* November.

The buildings would house advanced energy storage technology (e.g., lithium ion batteries) which, together with related control equipment including inverters, transformers, and a small onsite electric substation, would be connected via a new electric tie-line to the existing Pacific Gas & Electric Company (PG&E) Pittsburg Substation located approximately 0.6 mile north of the Site. The facility would be unoccupied and is designed for full remote operation. Diablo Energy Storage, LLC is the Applicant for development permits and would be the Lessee of the property.

The facility would not generate electricity. Rather, it would provide a service by receiving energy (charging) from the point of interconnection (POI) with the PG&E electric transmission system, storing energy, and then later delivering energy (discharging) back to the POI. The Site is within the East Contra Costa Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) area. Two alternate routes being considered for a tie-line to the POI are also within the HCP/NCCP area, and a third alternative route being considered extends out of the HCP/NCCP area as described further under the subheading of West Alignment. The Site is currently vacant with no structures.

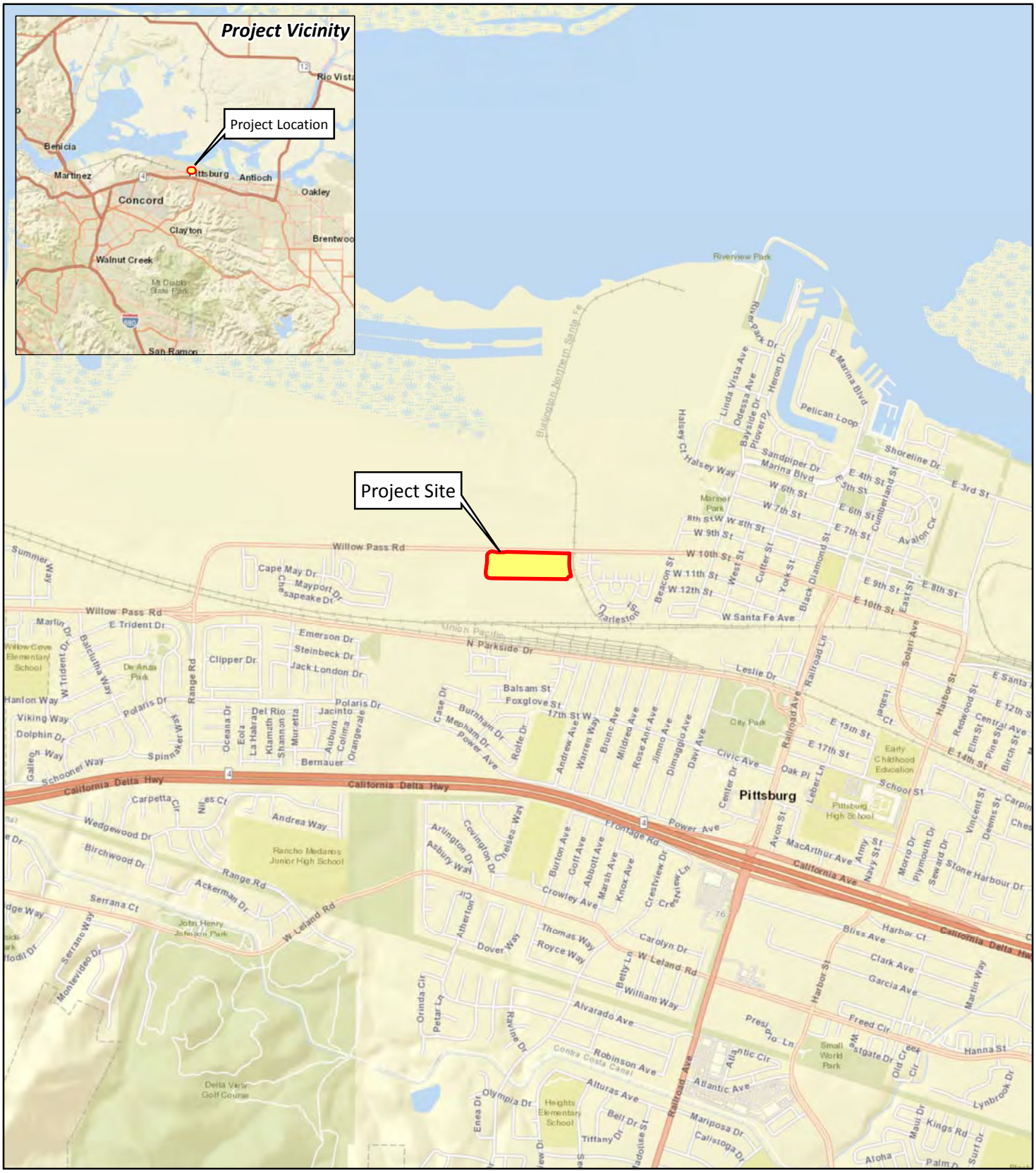

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FIGURE 1

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Diablo Energy Storage Facility
Pittsburg, Contra Costa County, California
Location Map

SOURCE: ESRI World Streetmap.

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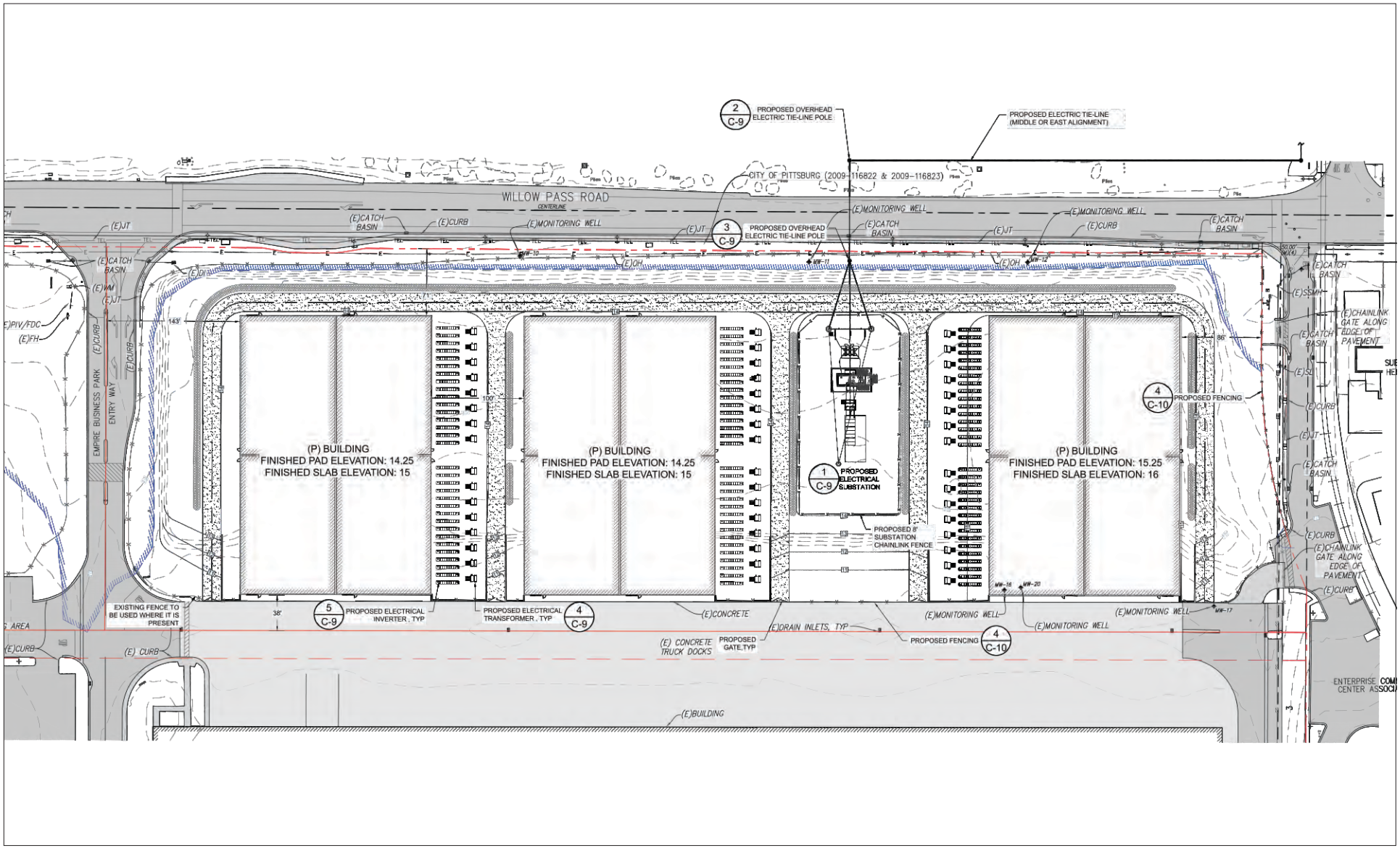

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SOURCE: TRC Solutions, Inc. (8/29/17)

FIGURE 2

Diablo Energy Storage Facility
Pittsburg, Contra Costa County, California

Site Plan

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METHODOLOGY

Evaluation of noise and vibration impacts associated with the project includes the following:

- Determination of the short-term construction noise and vibration impacts on off-site noise-sensitive uses;
- Determination of the long-term noise and vibration impacts from on-site stationary noise sources at the existing off-site noise-sensitive uses; and
- Determination of the required mitigation measures to reduce long-term noise and vibration impacts, if any, from all sources.

CHARACTERISTICS OF SOUND

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep.

To the human ear, sound has two significant characteristics: pitch and loudness. Pitch is generally an annoyance, while loudness can affect the ability to hear. Pitch is the number of complete vibrations, or cycles per second, of a wave resulting in the tone's range from high to low. Loudness is the strength of a sound that describes a noisy or quiet environment and is measured by the amplitude of the sound wave. Loudness is determined by the intensity of the sound waves combined with the reception characteristics of the human ear. Sound intensity refers to how hard the sound wave strikes an object, which in turn produces the sound's effect. This characteristic of sound can be precisely measured with instruments. The analysis of a project defines the noise environment of the project area in terms of sound intensity and its effect on adjacent sensitive land uses.

Measurement of Sound

Sound intensity is measured through the A-weighted scale to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies. Unlike linear units (e.g., inches or pounds) decibels are measured on a logarithmic scale representing points on a sharply rising curve.

For example, 10 decibels (dB) is 10 times more intense than 1 dB, 20 dB is 100 times more intense than 1 dB, and 30 dB is 1,000 times more intense than 1 dB. Thirty decibels (30 dB) represents 1,000 times as much acoustic energy as 1 dB. The decibel scale increases as the square of the change, representing the sound pressure energy. A sound as soft as human breathing is about 10 times greater than 0 dB. The decibel system of measuring sound gives a rough connection between the physical intensity of sound and its perceived loudness to the human ear. A 10 dB increase in sound level is perceived by the human ear as only a doubling of the loudness of the sound. Ambient sounds generally range from 30 dB (very quiet) to 100 dB (very loud).

Sound levels are generated from a source, and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. For a single point source, sound levels decrease approximately 6 dB for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by stationary equipment. If noise is produced by a line source (e.g., highway traffic or railroad operations) the sound decreases 3 dB for each doubling of distance in a hard site environment. Line source (noise in a relatively flat environment with absorptive vegetation) decreases 4.5 dB for each doubling of distance.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and Community Noise Equivalent Level (CNEL) or the day-night average noise level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours), and a 10 dBA weighting factor applied to noises occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within 1 dBA of each other and are normally interchangeable. The City uses the CNEL noise scale for long-term noise impact assessment.

Other noise rating scales of importance when assessing the annoyance factor include the maximum instantaneous noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same.

Noise impacts can be described in three categories. The first category includes audible impacts that refer to increases in noise levels noticeable to humans. Audible increases in noise levels generally refer to a change of 3 dB or greater because this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, refers to a change in the noise level between 1 dB and 3 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category includes changes in noise levels of less than 1 dB, which are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are considered a potentially impact.

Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects the entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, thereby affecting blood pressure and functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA would result in permanent cell damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear, even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear (the threshold of pain). A sound level of 160–165 dBA will result in dizziness or loss of equilibrium. The ambient or background noise problem is widespread and generally more concentrated in urban areas than in outlying, less developed area. Table A lists definitions of acoustical terms, and Table B shows common sound levels and their sources.

Table A: Definitions of Acoustical Terms

Term	Definitions
Decibel, dB	A unit of measurement that denotes the ratio between two quantities that are proportional to power; the number of decibels is 10 times the logarithm (to the base 10) of this ratio.
Frequency, Hz	Of a function periodic in time, the number of times that the quantity repeats itself in 1 second (i.e., number of cycles per second).
A-Weighted Sound Level, dBA	The sound level obtained by use of A-weighting. The A-weighting filter de-emphasizes the very low- and very high-frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise. (All sound levels in this report are A-weighted, unless reported otherwise.)
L_{01}, L_{10}, L_{50}, L_{90}	The fast A-weighted noise levels that are equaled or exceeded by a fluctuating sound level 1%, 10%, 50%, and 90% of a stated time period.
Equivalent Continuous Noise Level, L_{eq}	The level of a steady sound that, in a stated time period and at a stated location, has the same A-weighted sound energy as the time-varying sound.
Community Noise Equivalent Level, CNEL	The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 5 dBA to sound levels occurring in the evening from 7:00 PM to 10:00 PM and after the addition of 10 dBA to sound levels occurring in the night between 10:00 PM and 7:00 AM.
Day/Night Noise Level, L_{dn}	The 24-hour A-weighted average sound level from midnight to midnight, obtained after the addition of 10 dBA to sound levels occurring in the night between 10:00 PM and 7:00 AM.
L_{max}, L_{min}	The maximum and minimum A-weighted sound levels measured on a sound level meter, during a designated time interval, using fast time averaging.
Ambient Noise Level	The all-encompassing noise associated with a given environment at a specified time; usually a composite of sound from many sources at many directions, near and far; no particular sound is dominant.
Intrusive	The noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content, as well as the prevailing ambient noise level.

Source: *Handbook of Acoustical Measurements and Noise Control* (Harris 1991).

Table B: Common Sound Levels and Their Noise Sources

Noise Source	A-Weighted Sound Level in Decibels	Noise Environments	Subjective Evaluations
Near Jet Engine	140	Deafening	128 times as loud
Civil Defense Siren	130	Threshold of Pain	64 times as loud
Hard Rock Band	120	Threshold of Feeling	32 times as loud
Accelerating Motorcycle at a Few Feet Away	110	Very Loud	16 times as loud
Pile Driver; Noisy Urban Street/Heavy City Traffic	100	Very Loud	8 times as loud
Ambulance Siren; Food Blender	95	Very Loud	—
Garbage Disposal	90	Very Loud	4 times as loud
Freight Cars; Living Room Music	85	Loud	—
Pneumatic Drill; Vacuum Cleaner	80	Loud	2 times as loud
Busy Restaurant	75	Moderately Loud	—
Near Freeway Auto Traffic	70	Moderately Loud	—
Average Office	60	Quiet	One-half as loud
Suburban Street	55	Quiet	—
Light Traffic; Soft Radio Music in Apartment	50	Quiet	One-quarter as loud
Large Transformer	45	Quiet	—
Average Residence without Stereo Playing	40	Faint	One-eighth as loud
Soft Whisper	30	Faint	—
Rustling Leaves	20	Very Faint	—
Human Breathing	10	Very Faint	Threshold of Hearing
—	0	Very Faint	—

Source: Compiled by LSA (2015).

FUNDAMENTALS OF VIBRATION

Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernible, but without the effects associated with the shaking of a building there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by occupants as the motion of building surfaces, the rattling of items on shelves or hanging on walls, or a low-frequency rumbling noise. The rumbling noise is caused by the vibration of walls, floors, and ceilings that radiate sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 vibration velocity decibels (VdB) or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with both ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 feet (ft) from the vibration source, although there are

examples of ground-borne vibration causing interference out to distances greater than 200 ft (FTA 2006). When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible. It is assumed for most projects that the roadway surface will be smooth enough that ground-borne vibration from street traffic will not exceed the impact criteria; however, both construction of a project and freight train operations on railroad tracks could result in ground-borne vibration that may be perceptible and annoying.

Ground-borne noise is not likely to be a problem because noise arriving via the normal airborne path will usually be greater than ground-borne noise. Ground-borne vibration has the potential to disturb people and damage buildings. Although it is very rare for train-induced ground-borne vibration to cause even cosmetic building damage, it is not uncommon for heavy duty construction processes (e.g., blasting and pile driving) to cause vibration of sufficient amplitudes to damage nearby buildings (FTA 2006). Ground-borne vibration is usually measured in terms of vibration velocity, either the root-mean-square (RMS) velocity or peak particle velocity (PPV). The RMS is best for characterizing human response to building vibration, and PPV is used to characterize potential for damage. Decibel notation acts to compress the range of numbers required to describe vibration. Vibration velocity level in decibels is defined as:

$$L_v = 20 \log_{10} [V/V_{ref}]$$

Where L_v is the VdB, "V" is the RMS velocity amplitude, and "V_{ref}" is the reference velocity amplitude, or 1 x 10^{-6} inches/second (in/sec) used in the United States. Table C illustrates human response to various vibration levels, as described in the *Transit Noise and Vibration Impact Assessment* (FTA 2006).

Table C: Human Response to Different Levels of Ground-Borne Noise and Vibration

Vibration Velocity Level	Noise Level		Human Response
	Low-Frequency[1]	Mid-Frequency[2]	
65 VdB	25 dBA	40 dBA	Approximate threshold of perception for many humans. Low-frequency sound usually inaudible; mid-frequency sound excessive for quiet sleeping areas.
75 VdB	35 dBA	50 dBA	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying. Low-frequency noise acceptable for sleeping areas; mid-frequency noise annoying in most quiet occupied areas.
85 VdB	45 dBA	60 dBA	Vibration acceptable only if there are an infrequent number of events per day. Low-frequency noise annoying for sleeping areas; mid-frequency noise annoying even for infrequent events with institutional land uses such as schools and churches.

Source: *Transit Noise and Vibration Impact Assessment* (FTA 2006).
[1] Approximate noise level when vibration spectrum peak is near 30 Hz.
[2] Approximate noise level when vibration spectrum peak is near 60 Hz.
dBA = A-weighted decibels Hz = Hertz
FTA = Federal Transit Administration VdB = vibration velocity decibels

Factors that influence ground-borne vibration and noise include the following:

- **Vibration Source.** Vehicle suspension, wheel types and condition, railroad track/roadway surface, railroad track support system, speed, transit structure, and depth of vibration source
- **Vibration Path.** Soil type, rock layers, soil layering, depth to water table, and frost depth
- **Vibration Receiver.** Foundation type, building construction, and acoustical absorption

Among the factors listed above, there are significant differences in the vibration characteristics when the source is underground compared to at the ground surface. In addition, soil conditions are known to have a strong influence on the levels of ground-borne vibration. Among the most important factors are the stiffness and internal damping of the soil and the depth to bedrock.

Experience with ground-borne vibration indicates: (1) vibration propagation is more efficient in stiff, clay soils than in loose, sandy soils; and (2) shallow rock seems to concentrate the vibration energy close to the surface and can result in ground-borne vibration problems at large distances from a railroad track. Factors including layering of the soil and the depth to the water table can have significant effects on the propagation of ground-borne vibration. Soft, loose, sandy soils tend to attenuate more vibration energy than hard, rocky materials. Vibration propagation through groundwater is more efficient than through sandy soils.

REGULATORY SETTING

FEDERAL REGULATIONS

Vibration standards included in the Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment* (FTA 2006) are used in this analysis for ground-borne vibration impacts on human annoyance, as shown in Table D. The criteria presented in Table D account for variation in project types as well as the frequency of events, which differ widely among projects. It is intuitive that when there will be fewer events per day, it should take higher vibration levels to evoke the same community response. This is accounted for in the criteria by distinguishing between projects with frequent and infrequent events, in which the term "occasional events" is defined as between 30 and 70 events per day.

Table D: Ground-Borne Vibration and Ground-Borne Noise Impact Criteria for General Assessment

Land Use Category	Ground-Borne Vibration Impact Levels (VdB re 1 µin/sec)			Ground-Borne Noise Impact Levels (dB re 20 µPa)		
	Frequent[1] Events	Occasional[2] Events	Infrequent[3] Events	Frequent[1] Events	Occasional[2] Events	Infrequent[3] Events
Category 1: Buildings where low ambient vibration is essential for interior operations.	65 VdB[4]	65 VdB[4]	65 VdB[4]	N/A[5]	N/A[5]	N/A[5]
Category 2: Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB	35 dBA	38 dBA	43 dBA
Category 3: Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB	40 dBA	43 dBA	48 dBA

Source: *Transit Noise and Vibration Impact Assessment* (FTA 2006).

[1] Frequent events are defined as more than 70 events per day.

[2] Occasional events are defined as between 30 and 70 events per day.

[3] Infrequent events are defined as fewer than 30 events per day.

[4] This criterion limit is based on levels that are acceptable for most moderately sensitive equipment, such as optical microscopes. Vibration-sensitive manufacturing or research will require detailed evaluation to define the acceptable vibration levels. Ensuring lower vibration levels in a building often requires special design of the HVAC systems and stiffened floors.

[5] Vibration-sensitive equipment is not sensitive to ground-borne noise.

µin/sec = microinches per second
µPa = micropascals
dB = decibels
dBA = A-weighted decibels
FTA = Federal Transit Administration
HVAC = heating, ventilation, and air conditioning
VdB = vibration velocity decibels

The criteria for environmental impact from ground-borne vibration and noise are based on the maximum levels for a single event. Table E lists the potential vibration building damage criteria associated with construction activities, as suggested in the *Transit Noise and Vibration Impact Assessment* (FTA 2006).

FTA guidelines show that a vibration level of up to 102 VdB (equivalent to 0.5 in/sec in PPV) (FTA 2006) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a nonengineered timber

and masonry building, the construction building vibration damage criterion is 94 VdB (0.2 in/sec in PPV).

Table E: Construction Vibration Damage Criteria

Building Category	PPV (in/sec)	Approximate L_V (VdB)[1]
Reinforced concrete, steel, or timber (no plaster)	0.50	102
Engineered concrete and masonry (no plaster)	0.30	98
Non-engineered timber and masonry buildings	0.20	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: *Transit Noise and Vibration Impact Assessment* (FTA 2006).
[1] RMS vibration velocity in decibels (VdB) re 1 µin/sec.
µin/sec = inches per second
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

STATE REGULATIONS

The State of California has established regulations that help prevent adverse impacts to occupants of buildings located near noise sources. Referred to as the *State Noise Insulation Standard*, it requires buildings to meet performance standards through design and/or building materials that would offset any noise source in the vicinity of the receptor. State regulations include requirements for the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings that are intended to limit the extent of noise transmitted into habitable spaces. These requirements are found in the California Code of Regulations, Title 24 (known as the Building Standards Administrative Code), Part 2 (known as the California Building Code), Appendix Chapters 12 and 12A. For limiting noise transmitted between adjacent dwelling units, the noise insulation standards specify the extent to which walls, doors, and floor ceiling assemblies must block or absorb sound. For limiting noise from exterior noise sources, the noise insulation standards set an interior standard of 45 dBA CNEL in any habitable room with all doors and windows closed. In addition, the standards require preparation of an acoustical analysis demonstrating the manner in which dwelling units have been designed to meet this interior standard, where such units are proposed in an area with exterior noise levels greater than 60 dBA CNEL.

The State has also established land use compatibility guidelines for determining acceptable noise levels for specified land uses. The City has adopted and modified the State's land use compatibility guidelines, as discussed below.

LOCAL REGULATIONS

City of Pittsburg General Plan Noise Element

The Noise Element, Section 12 of the General Plan (2004), contains a description of various noise level increases and their respective perception, specifically at residential uses, in terms of potential impacts:A one (1) dBA change or less is not perceptible.

- A three (3) dBA change is considered barely perceptible

- A five (5) dBA change is considered noticeable, thus often resulting in a potential impact.

As presented in Policy 12-P-7, noise control at the source through site design and other techniques is required for new development.

Policy 12-P-9 limits the generation of loud noises on construction sites to the hours between 8:00 a.m. and 5:00 p.m.

Policy 12-P-10 limits truck traffic to appropriate truck routes and requires consideration of the restriction of truck traffic travel times in sensitive areas.

City of Pittsburg Municipal Code

The City of Pittsburg's Noise Ordinance (Title 9 - Public Peace, Safety and Morals, Chapter 9.44 - Noise, Section 9.44.010) prohibits the use of pile drivers, pneumatic hammers, and similar equipment between the hours of 10:00 p.m. and 7:00 a.m., but does not establish noise-level limits related to fixed noise sources or construction noise.

The City's Building and Construction Ordinance (Title 15 – Buildings and Construction, Chapter 15.88 – Grading, Erosion and Sediment Control, Section 15.88.060.A.5) prohibits grading noise, including warming of equipment motors, within 1,000 feet of a residence between the hours of 5:30 p.m. and 7:00 a.m. weekdays, unless other hours are approved by the City Engineer.

The City's Performance Standards For All Uses (Title 18 – Zoning, Chapter 18.82 – Noise, Section 18.82.040B) states that no construction event or activity occurring on any site adjoining a lot located in an R, residential PD or GQ district shall generate loud noises in excess of 65 decibels measured at the property line, except between the hours of 8:00 a.m. and 5:00 p.m.

City of Pittsburg Vibration Standards

The City of Pittsburg does not have established specific vibration impact criteria; therefore, during construction the FTA criteria presented above will be utilized to assess potential damage and human annoyance.

EXISTING SETTING

OVERVIEW OF THE EXISTING NOISE ENVIRONMENT

The existing noise environment includes traffic noise from Willow Pass Road to the north, industrial uses and the existing rail line to the south and southeast, and corona noise from the existing powerlines. Noise from motor vehicles is generated by engine vibrations, interaction between tires and the road, and exhaust systems. Noise associated with the neighboring industrial uses is generated by heavy tuck movements, loading dock activities, forklift operations and other parking lot activities.

SENSITIVE LAND USES IN THE PROJECT VICINITY

Certain land uses are considered more sensitive to noise than others. Examples of these include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The closest sensitive receptors would be single-family residences approximately 80 feet east of the project site. These residential uses have an existing 8-foot high wall along the western property line. There are also existing residences to the west and south. The distances to these communities are 1,300 and 1,050 feet, respectively.

EXISTING NOISE LEVEL MEASUREMENTS

Noise levels at the project site are dominated by traffic on the surrounding streets and rail line as well as the existing industrial use activities. In order to assess the existing noise conditions in the project study area. Three long-term measurements were gathered from October 27 to October 29, 2017 as well as two (2) 15-minute short-term noise measurements on October 27, 2017. The locations of the noise measurements are shown on Figure 3, with the results shown in Table F, and the survey sheets are shown in Appendix A.

EXISTING AIRCRAFT NOISE

Airport related noise levels are primarily associated with aircraft engine noise made while aircraft are taking off, landing, or running their engines while still on the ground. The closest airport to the project site is the Buchanan Field Airport (CCR) located approximately 8.8 miles to the southwest in Contra Costa County. According to the Buchanan Field Noise Program, the project is located outside of the airport's influence area. Aircraft flyovers may be audible at the project site; however, no portion of the project site lies within the 65 dBA CNEL noise contours of the airport.

Table F: Existing Noise Level Measurements

Location	Description	Range of Daytime Noise Levels (dBA L_{eq})	Range of Nighttime Noise Levels (dBA L_{max})
LT-1	Southeast corner of proposed project site near existing single-family residences.	51.2 – 62.3	53.0 – 62.8
LT-2	Approximately 1,200 feet west of the proposed project site and 50 feet south of Willow Pass Road.	58.4 – 70.0	51.8 – 64.3
LT-3	Approximately 1,750 feet southwest of the proposed project site and 55 feet south of North Parkside Drive.	62.1 – 69.0	55.8 – 67.8
ST-1	Approximately 630 feet southeast of the project site, near the existing industrial uses.	55.9	-
ST-2	Approximately 250 feet west of the project site, near the existing parking lot.	49.0	-

Source: LSA, October 27-29, 2017
dBA = A-weighted decibel
L_{eq} = average noise level
L_{max}=maximum noise level



LSA

LEGEND

Project Site

Noise Monitoring Number and Location

LT-1

0 200 400

FEET

SOURCE: Google Maps Satellite (2016).

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FIGURE 5

Diablo Energy Storage Facility
Pittsburg, Contra Costa County, California

Noise Monitoring Locations

PROJECT NOISE AND VIBRATION IMPACTS

Noise levels on and in the vicinity of the project site would change as a result of the proposed project. Potential noise impacts associated with the project include noises created during construction and operation of the project.

SHORT-TERM CONSTRUCTION NOISE IMPACTS

Two types of short-term noise impacts would occur during project construction. The first type would be from construction crew commutes and the transport of construction equipment and materials to the project site which would incrementally raise noise levels on access roads leading to the project site. The pieces of heavy equipment for grading and construction activities would be moved on site, would remain for the duration of each construction phase, and would not add to the daily traffic volume in the project vicinity. Willow Pass Road would be used to access the project site. Although there would be high single-event noise exposure potential at a maximum level of 75 dBA L_{max} at 50 ft due to truck pass-bys, the effect on longer-term (hourly or daily) ambient noise levels would be small when compared to existing hourly and daily traffic volumes. Because construction-related vehicle trips would not approach the hourly and daily traffic volumes mentioned above, traffic noise would not increase by 3 dBA. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment. Therefore, short-term, construction-related impacts associated with worker commute and equipment transport to the project site would not cause an impact.

The second type of short-term noise impact is related to noise generated during site preparation, grading, building construction, architectural coating, and paving on the project site. The site preparation phase is expected to take approximately 60 days. After site preparation is complete, the remaining construction activities are expected to generate barely perceptible noise impacts to surrounding uses.

Construction is undertaken in discrete steps, each of which has its own mix of equipment, and consequently its own noise characteristics. These various sequential phases would change the character of the noise generated on the project site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. Table G lists the maximum noise levels recommended for noise impact assessments for typical construction equipment based on a distance of 50 ft between the equipment and a noise receptor. Typical operating cycles for these types of construction equipment may involve 1 to 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings.

In addition to the reference maximum noise level, the usage factor provided in Table G is utilized to calculate the hourly noise level impact for each piece of equipment based on the following equation:

$$L_{eq}(equip) = E.L. + 10\log(U.F.) - 20\log\left(\frac{D}{50}\right)$$

where: $L_{eq}(equip)$ = L_{eq} at a receiver resulting from the operation of a single piece of equipment over a specified time period

E.L. = noise emission level of the particular piece of equipment at a reference distance of 50 ft

U.F. = usage factor that accounts for the fraction of time that the equipment is in use over the specified period of time

D = distance from the receiver to the piece of equipment

Table G: Typical Maximum Construction Equipment Noise Levels (Lmax)

Type of Equipment	Acoustical Usage Factor	Suggested Maximum Sound Levels for Analysis (dBA L_{max} at 50 ft)
Bulldozer	40	85
Grader	40	85
Scraper	40	85
Water Truck	20	82
Compactor	20	80
Dump Truck	40	84
Loader	40	80
Bobcat	40	80

Source: Federal Highway Administration, *Highway Construction Noise Handbook* (2006).
dBA = A-weighted decibel
ft = feet
L_{max} = maximum noise level

Each piece of construction equipment operates as an individual point source. Utilizing the following equation, a composite noise level can be calculated when multiple sources of noise operate simultaneously:

$$Leq\ (composite) = 10 * \log_{10}\left(\sum_{1}^{n} 10^{\frac{Ln}{10}}\right)$$

The composite noise level of the pieces of equipment during construction would be 89 dBA L_{eq} at a distance of 50 ft from the construction area.

Once composite noise levels are calculated, reference noise levels can then be adjusted for distance using the following equation:

$$Leq\ (at\ distance\ X) = Leq\ (at\ 50\ feet) - 20 * \log_{10}\left(\frac{X}{50}\right)$$

In general, this equation shows that doubling the distance would decrease noise levels by 6 dBA while halving the distance would increase noise levels by 6 dBA. It is expected that noise levels at the residences 80 feet to the east would approach 85 dBA L_{eq}, construction impacts at residences 1,325 feet to the west would approach 61 dBA Leq, and construction impacts at residences 1,040 feet to the south would approach 63 dBA Leq. While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the project area today, the noise impacts would no longer occur once project construction is completed.

With the requirement of the project to comply with hours of operations restriction in the Noise Ordinance and the policies related to construction in the Noise Element of the General Plan, construction noise impacts would be reduced to the greatest extent feasible and not cause a substantial impact to surrounding sensitive uses.

SHORT-TERM CONSTRUCTION VIBRATION IMPACTS

This construction vibration impact analysis discusses the level of human annoyance using vibration levels in VdB and will assess the potential for building damages using vibration levels in PPV (in/sec) because vibration levels calculated in RMS are best for characterizing human response to building vibration while vibration level in PPV is best used to characterize potential for damage. As shown in Table E, the FTA guidelines indicate that a vibration level up to 102 VdB (an equivalent to 0.5 in/sec in PPV) (FTA 2006) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a non-engineered timber and masonry building, the construction vibration damage criterion is 94 VdB (0.2 in/sec in PPV).

Table H shows the PPV and VdB values at 25 feet from the construction vibration source. As shown in Table H, bulldozers and other heavy-tracked construction equipment (vibratory rollers) generate approximately 87 VdB of ground-borne vibration when measured at 25 feet, based on the Transit Noise and Vibration Impact Assessment (FTA 2006). This level of ground-borne vibration levels could result in potential annoyance to residences and workers located adjacent to the project site, but would not cause any damage to the buildings. Construction vibration, similar to vibration from other sources, would not have any significant effects on outdoor activities (e.g., those outside of residences and commercial/office buildings in the project vicinity). Outdoor site preparation for the project is expected to use a bulldozer and loaded truck. The greatest levels of vibration are anticipated to occur during the site preparation phase. After the site preparation phase, all other construction phases will result in lower vibration levels because heavy tracked equipment will not be in use.

Table H: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 ft.	
	PPV (in/sec)	L_V (VdB)[1]
Vibratory Roller	0.210	94
Large Bulldozer[2]	**0.089**	**87**
Loaded Trucks	**0.076**	**86**
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Sources: *Transit Noise and Vibration Impact Assessment* (FTA 2006).
[1] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
[2] Equipment shown in **bold** is expected to be used on site.

µin/sec = micro-inches per second
ft = feet
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings and the project boundary (assuming the construction equipment would be used at or near the project boundary) because vibration impacts occur normally within the buildings. The formula for vibration transmission is provided below.

$$L_vdB\ (D) = L_vdB\ (25\ ft) - 30\ Log\ (D/25)$$

$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

For typical construction activity, the equipment with the highest vibration generation potential is the large bulldozer, which would generate 87 VdB at 25 ft. The closest residential structure from the project site is approximately 80 ft. from the project construction boundary. The closest industrial building from the project site from is approximately 135 ft. to the south. Utilizing the information in Table H, the closest residences would experience vibration levels of up to 72 VdB (0.016 PPV [in/sec]). The closest industrial building to the south of the project site would experience vibration levels of 65 VdB (0.007 PPV [in/sec]). This range of vibration levels from construction equipment or activity would be below the FTA 94 VdB (0.2 in/sec PPV) threshold and would not exceed the 80 VdB threshold for residences due to infrequent events, thus resulting in no impact to surrounding uses.

LONG-TERM AIRCRAFT NOISE IMPACTS

The project would develop an energy facility within the City, and would not contribute to any aircraft activity. There currently is no airport located within the city. The closest airport to the project site is the Buchanan Field Airport (CCR) located approximately 8.8 miles to the southwest in Contra Costa County. According to the Buchanan Field Noise Program, the project site is located outside of the airport's influence area. Therefore, no measurable long-term aircraft or airport noise impacts would occur.

LONG-TERM STATIONARY NOISE IMPACTS

Noise impacts associated with the long-term operation of the project must comply with the standards presented in the City's Noise Element, described above. A potential impact could occur if

the noise impacts associated with operation of the proposed project increase existing noise levels by 5 dBA L_{eq} or more. Noise associated with the project includes the energy facility and corona noise.

In order to calculate the expected impacts due to long-term operational stationary source activities, the software SoundPlan was used. SoundPlan is a noise modeling program that allows 3-D calculations to be made taking into account topography, ground attenuation, and shielding from structures and walls. More specifically, this also includes the existing wall that runs north-south and is located east of the project site and west of the existing single-family homes. It is expected that this wall will provide some reduction associated with the sources that are located closer to ground level, however, the wall has the potential to provide less reduction for elevated sources such as rooftop HVAC equipment. Similarly, once the eastern-most building is constructed, it will provide significant reduction from sources associated with the middle and western-most building. Within the model, the noise library allows for the input of many noise sources and calculates the composite noise levels experienced at any receptor necessary. The results from any calculation can be presented both in both tabular and graphic formats.

The proposed operations assumed in this analysis were based on conversations with the project engineer and are conservative in nature (i,e. all operations are occurring simultaneously). A description of the sources measured and their respective sound pressure level at a distance of 10 feet included in the analysis, which represent the loudest noise hour when the greatest amount of equipment is in operation, is as follows:

- 48 (3 groups of 16) – 5.6 megawatt transformers that have a sound pressure noise level of 70.3 dBA L_{eq}.
- 96 (3 groups of 32) – 2.8 megawatt inverters that have a sound pressure noise level of 74.5 dBA L_{eq}.
- 30 (3 groups of 10) rooftop HVAC Units that have a sound pressure noise level of 73.3 dBA L_{eq}.
- 2 HVAC units within the substation that have a sound pressure noise level of 58.7 dBA L_{eq}.
- 1 generator step-up transformer within the substation with a reference sound pressure level of 80.9 dBA L_{eq}.

In order to remain conservative, it is assumed that all equipment above operating simultaneously for the duration of the entire hour.

Table I shows the results of the SoundPlan noise modeling for each phase of project development. The results show that the noise levels at all points around the project site would experience noise level impacts that would increase the existing measured noise level by less than 5 dBA; thus the project would not result in an impact to the existing sensitive receptors. A graphic showing the results of the SoundPlan modeling during full site operations is provided in Figure 4.

Table I: Project Operations – All Sources

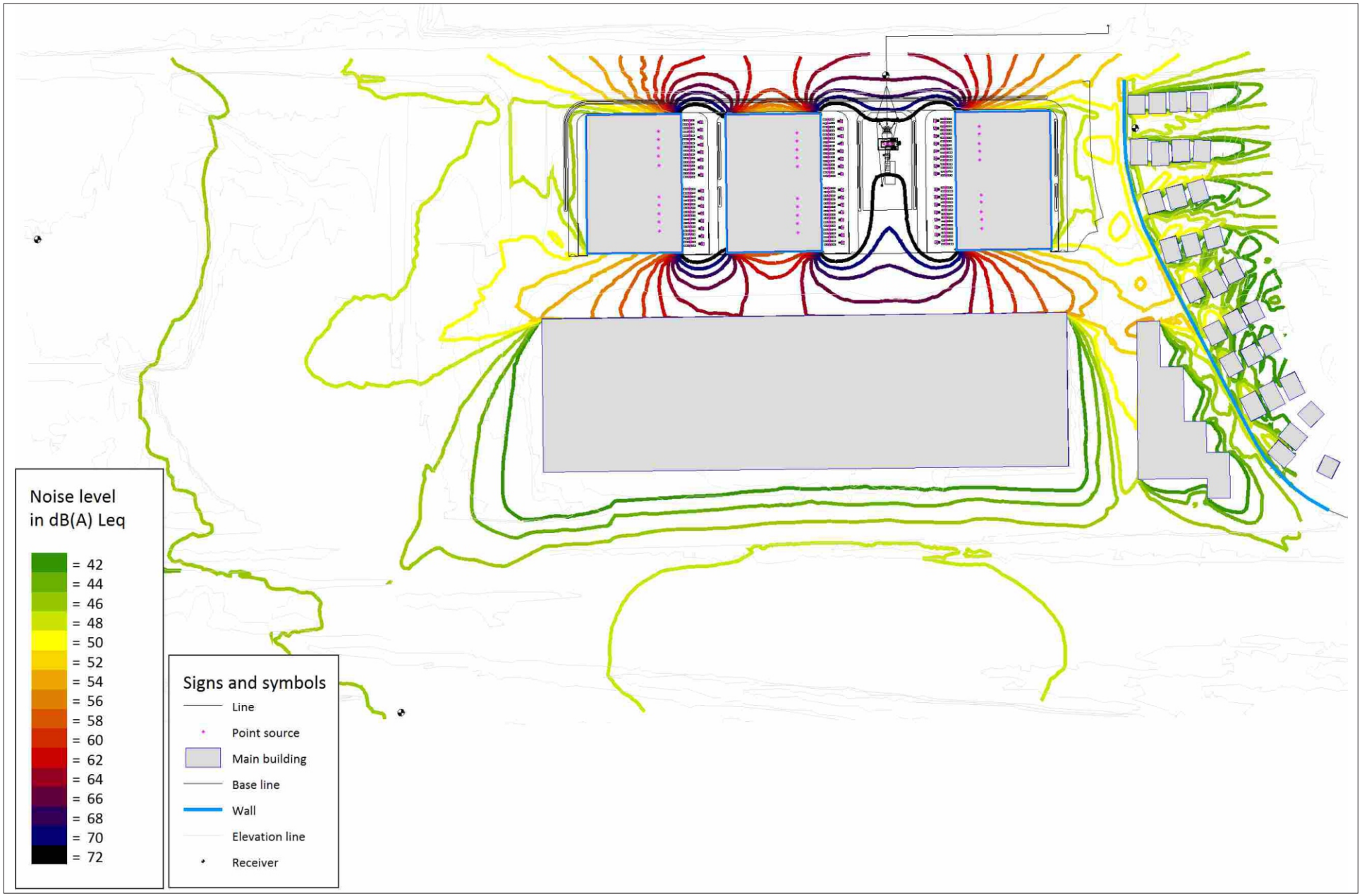
Receiver Location	Existing Average Noise Hour (dBA Leq)[1]	Phase 1		Phase 2		Full Operations	
		Noise Impact From Project Operations (dBA Leq)	Future Noise Level / Noise Level Increase (dBA L_{eq})	Noise Impact From Project Operations (dBA Leq)	Future Noise Level / Noise Level Increase (dBA L_{eq})	Noise Impact From Project Operations (dBA Leq)	Future Noise Level / Noise Level Increase (dBA L_{eq})
R-1 Residences East of Site	57.9[1]	47.6	58.3 / 0.4	48.6	58.4 / 0.5	48.9	58.4 / 0.5
R-2 Residences West of Site	45.9[1]	43.4	47.7 / 2.0	42.9	47.5 / 1.8	44.5	48.1 / 2.5
R-3 Residences South of Site	61.8[1]	43.6	61.9 / 0.1	44.7	61.9 / 0.1	46.1	61.9 / 0.1
R-4 Northern Property Line	64.2[2]	62.9	66.6 / 2.4	63.3	66.8 / 2.6	65.6	68.0 / 3.8

Source: LSA. January 2018..

1. The average nighttime noise hour was taken from existing measurements provided in Table F above. In the case of R-2, existing noise levels were propagated based on distance from Willow Pass Road.
2. The average daytime noise hour was taken from existing measurements provided in Table F above given the use of the sidewalk to the north of the project is expected to occur during daytime hours and is an active use.

dBA = A-weighted decibels

L_{eq} = equivalent continuous level



LSA

FIGURE 4

Diablo Energy Storage Facility
Pittsburg, Contra Costa County, California

Future Operational Impacts

Corona Noise

The proposed project electric tie line has the potential to create corona, or electro-static noise, along the proposed tie-in lines. The audible noise from the corona noise effect was calculated based on the Bonneville Power Administration (BPA) method provided in the Electric Power Research Institute (EPRI) Transmission Line Reference Book – 115 – 230 kV Compact Line Design. The equation used to calculate the audible noise from the corona noise effect is based on median fair weather, rainy weather, and heavy rain conditions and for less than three sub-conductors in each conductor (bundle) as provided below.

Equation: P = 55 log d + 120 log g + Alt./300 – 115.4 – 11.4 log D

Where: P = the audible noise in dBA above 20 µPA.

d = the sub-conductor diameter in centimeter (cm).

g = the maximum gradient in kilo-volts/centimeter (kV/cm).

Alt. = the altitude above sea level in meters.

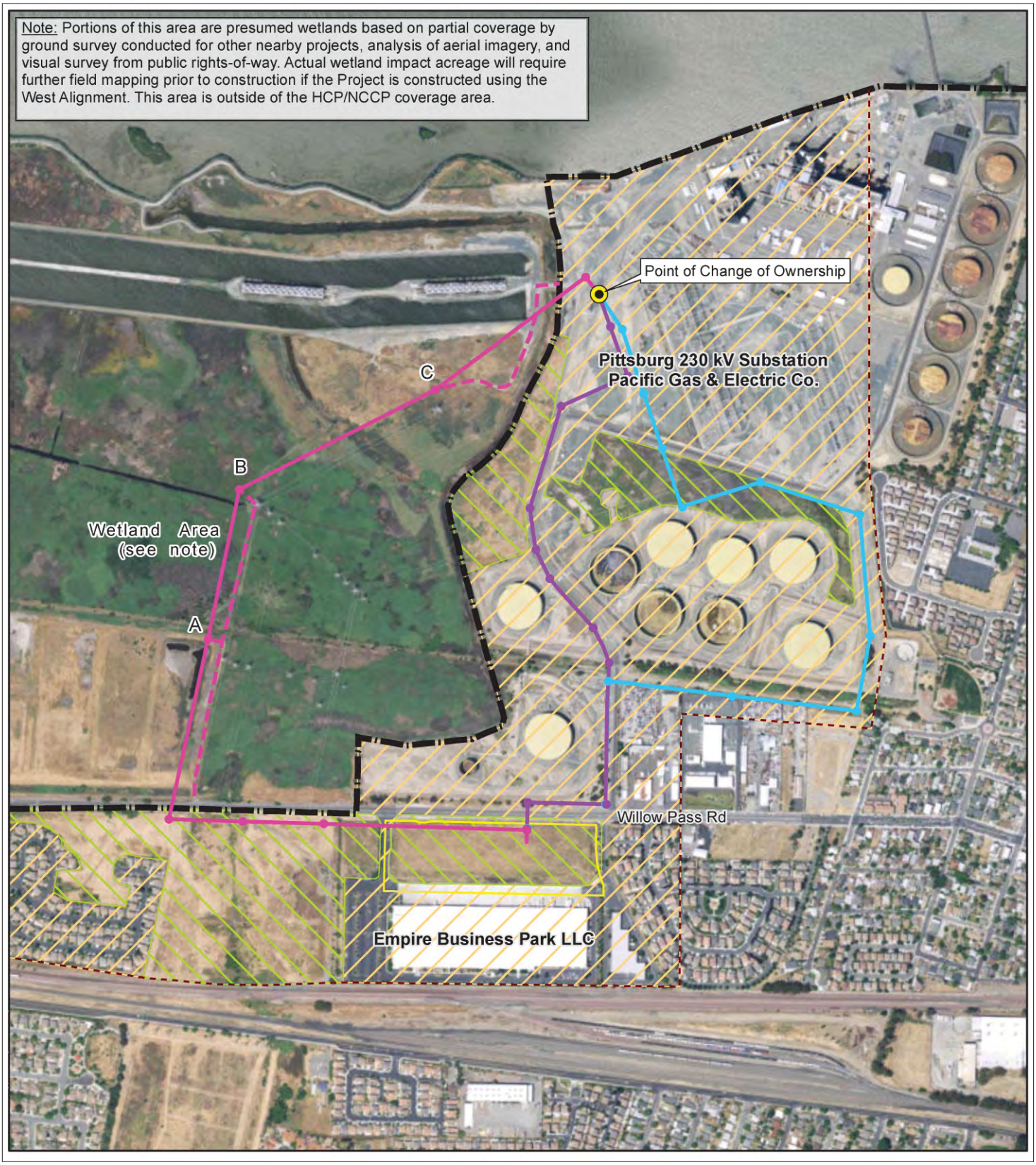
D = the distance from the phase to the measuring point in meters.

Table J shows the results of the corona noise calculations for each potential tie-in alignment. The results show that the noise level contributions at the nearest residences would be highly dependent on weather conditions and the potential corona noise levels would be very quiet, less than 20 dBA Leq, which would likely to be masked by existing ambient noise from other sources in the vicinity of the sensitive uses.

Table J: Corona Noise Contributions – dBA Leq

Alignment / Address of Nearest Receptor	Distance to Nearest Receptor (feet)	Noise Level (dBA) for Median Fair Weather Conditions	Noise Level (dBA) for Rainy Weather Conditions[1]	Noise Level (dBA) for Heavy Rain Conditions[2]
Reference / 10 feet from Alignment	10	Not Audible	21.0	24.5
West Alignment / 127 Mayport Court	250	Not Audible	12.0	15.5
Middle Alignment / 114 Prosperity Court	130	Not Audible	15.0	18.5
East Alignment / 1000 Beacon Street	110	Not Audible	16.0	19.5

Source: LSA. January 2018.
[1] The audible noise level for median fair weather conditions is 25 dBA less than rainy weather conditions.
[2] The audible noise level for heavy rain conditions is 3.5 dBA higher than rainy weather conditions.
dBA = A-weighted decibels
L_{eq} = equivalent continuous level



LSA

LEGEND

- Project Site
- West Alignment
- Middle Alignment
- East Alignment

N

0 400 800

FEET

SOURCE: TRC Solutions, Inc.

FIGURE 5

Diablo Energy Storage Facility
Pittsburg, Contra Costa County, California
Off-site Tie-in Alignments

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RESULTS SUMMARY

As described herein, the proposed project would result in increased noise levels in the project vicinity due to temporary construction activities, however those increases would cease after construction is completed. Noise associated with long-term operations or corona noise would not create an impact to surrounding noise sensitive receptors. With the requirement of the project to comply with hours of operations restriction in the Noise Ordinance and the policies related to construction in the Noise Element of the General Plan, construction noise impacts would be reduced to the greatest extent feasible and not cause a substantial impact to surrounding sensitive uses.

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Mr. Stephens holds a B.S. in Acoustical Engineering from Purdue University. He is a Senior Acoustical Specialist at LSA with over 13 years of experience in preparing noise studies. Mr. Stephens is primarily responsible for the preparation of noise studies for a variety of projects. He is proficient in the use of the FHWA Highway Traffic Noise Prediction Model (FHWA RD-77-108), Traffic Noise Model (TNM) 2.5, RCNM, Insul, and SoundPlan noise prediction software. Mr. Stephens is also responsible for performing noise monitoring surveys using a variety of Larson Davis sound level meters.

Amy Fischer, Principal-In-Charge.

Ms. Fischer has a B.S. in Environmental Policy Analysis from the University of Nevada, Reno. With 17 years of experience, Ms. Fischer serves as a Noise Principal, is qualified to conduct analyses for a variety of projects, is the technical lead on noise impact analyses documents, and oversees the research and preparation of technical reports.

APPENDIX A

NOISE MONITORING SURVEY SHEETS

Noise Measurement Survey – 24 HR

Project Number: LPD1702
Project Name: Diablo Energy

Test Personnel: JT / Kaitlin
Equipment: Quest Noise Pro DLX

Site Number: LT-1 Date: 10/27-10/30/17

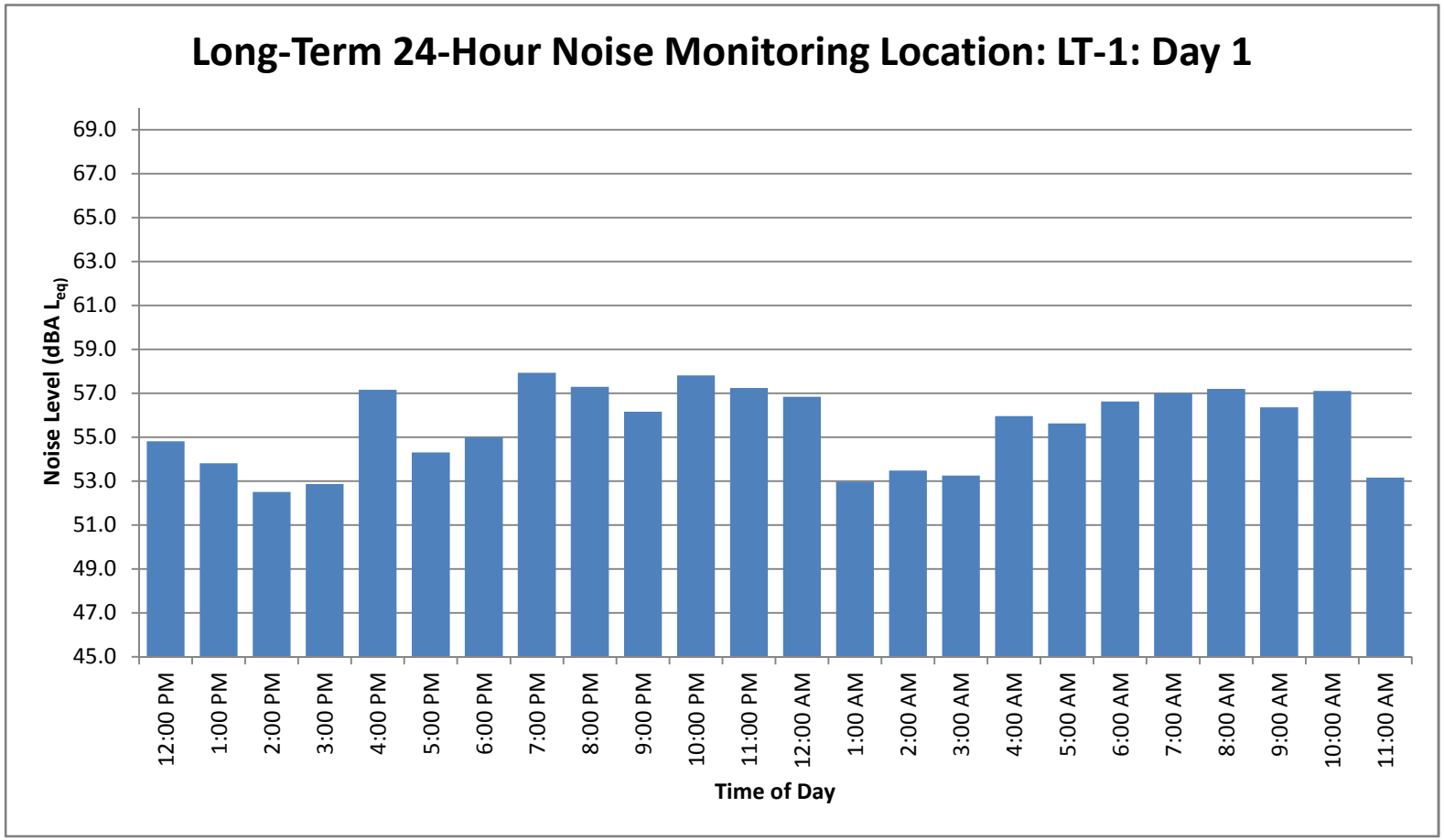
Time: From 12 pm To 1 PM

Site Location: SE Corner of the Proposed Project Site

Primary Noise Sources: Activities at the existing distribution center, traffic on Willow Pass Road, Trains

Comments: Serial Number: NXF 100112




Long-Term 24-Hour Noise Monitoring Location: LT-1: Day 1
Noise Level (dBA Leq)
69.0
67.0
65.0
63.0
61.0
59.0
57.0
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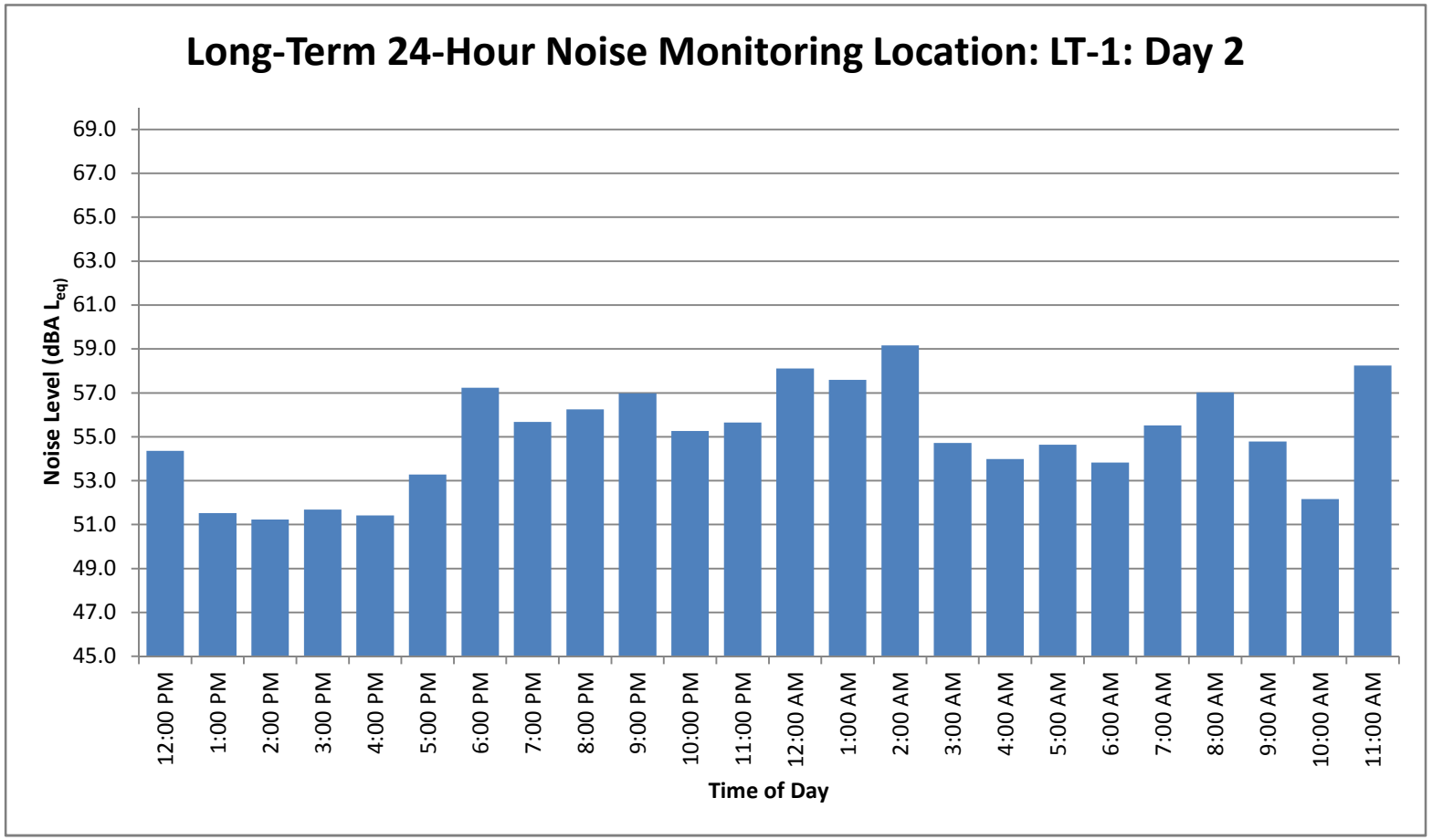
Time of Day


Long-Term 24-Hour Noise Monitoring Location: LT-1: Day 2
Noise Level (dBA Leq)
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67.0
65.0
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55.0
53.0
51.0
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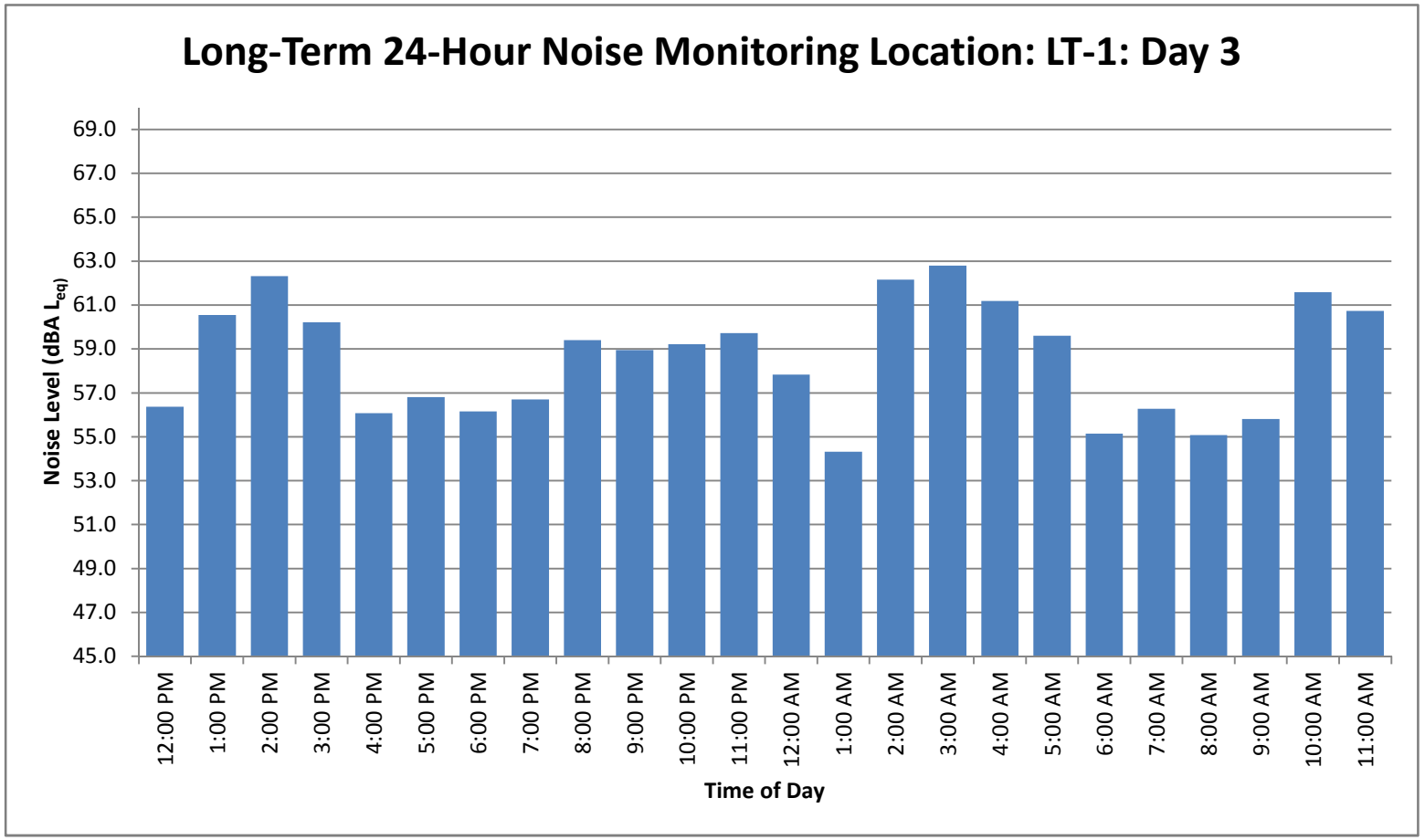
Time of Day


Long-Term 24-Hour Noise Monitoring Location: LT-1: Day 3
Noise Level (dBA Leq)
69.0
67.0
65.0
63.0
61.0
59.0
57.0
55.0
53.0
51.0
49.0
47.0
45.0
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1:00 PM
2:00 PM
3:00 PM
4:00 PM
5:00 PM
6:00 PM
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11:00 AM
Time of Day

Noise Measurement Survey – 24 HR

Project Number: LPD1702
Project Name: Diablo Energy

Test Personnel: JT / Kaitlin
Equipment: Quest Noise Pro DLX

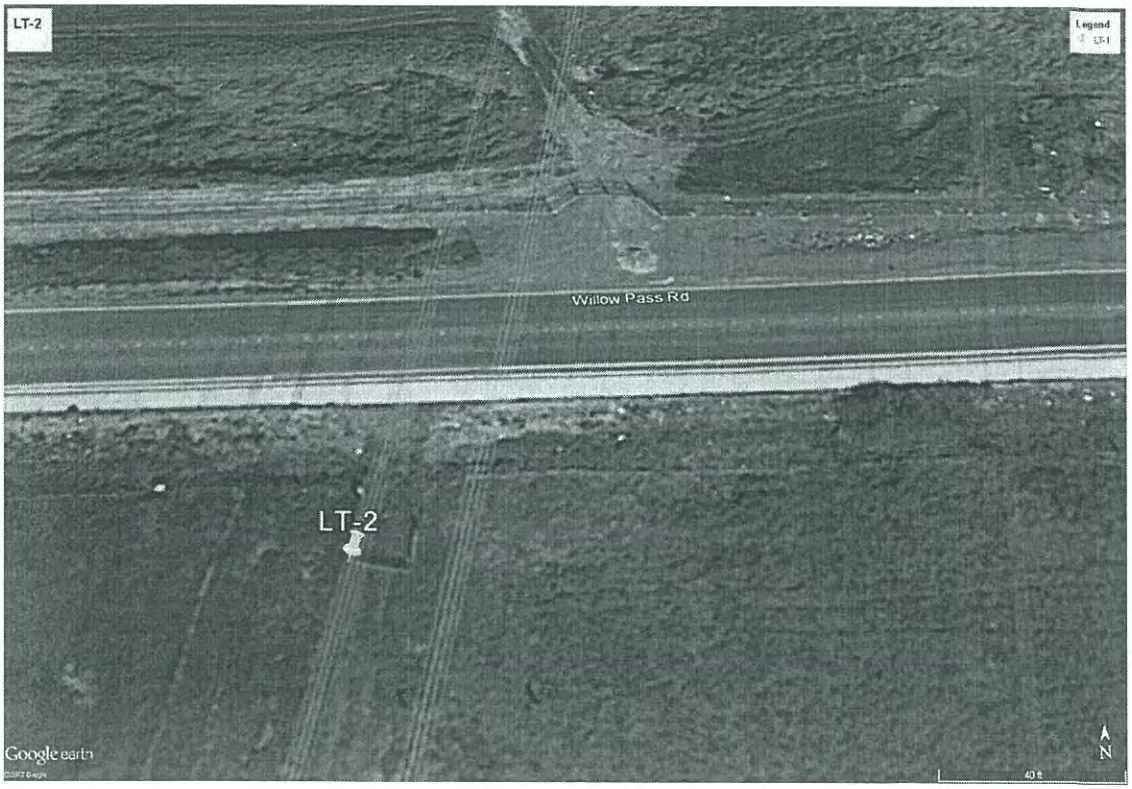
Site Number: LT-2 Date: 10/27-10/30/17

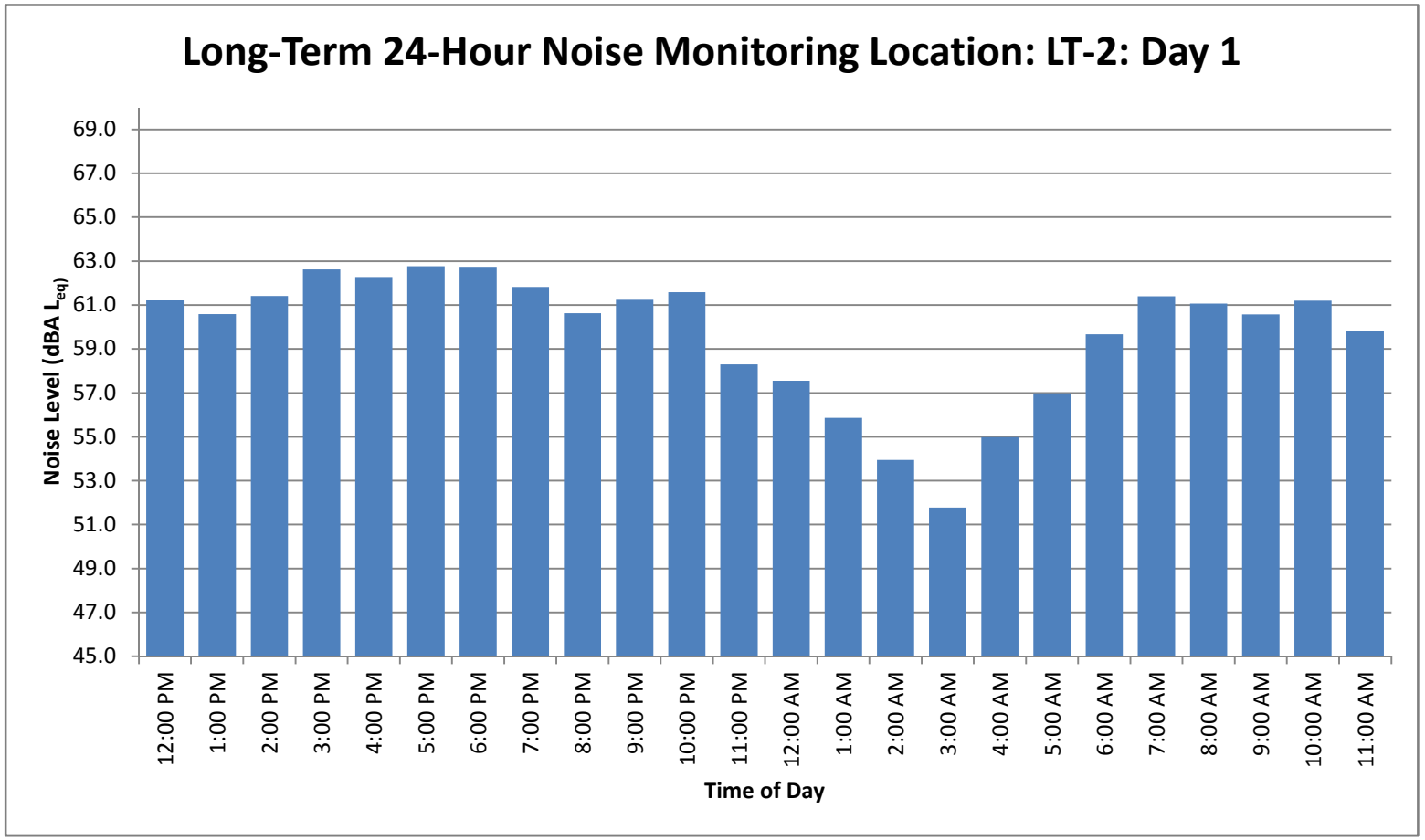
Time: From 12 pm To 1:10 pm

Site Location: West of the Proposed Project Site, south of Willow Pass Road

Primary Noise Sources: Traffic on Willow Pass Road, Corona Noise

Comments: Serial Number: NXG0600144




Long-Term 24-Hour Noise Monitoring Location: LT-2: Day 1
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63.0
61.0
59.0
57.0
55.0
53.0
51.0
49.0
47.0
45.0
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2:00 PM
3:00 PM
4:00 PM
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6:00 PM
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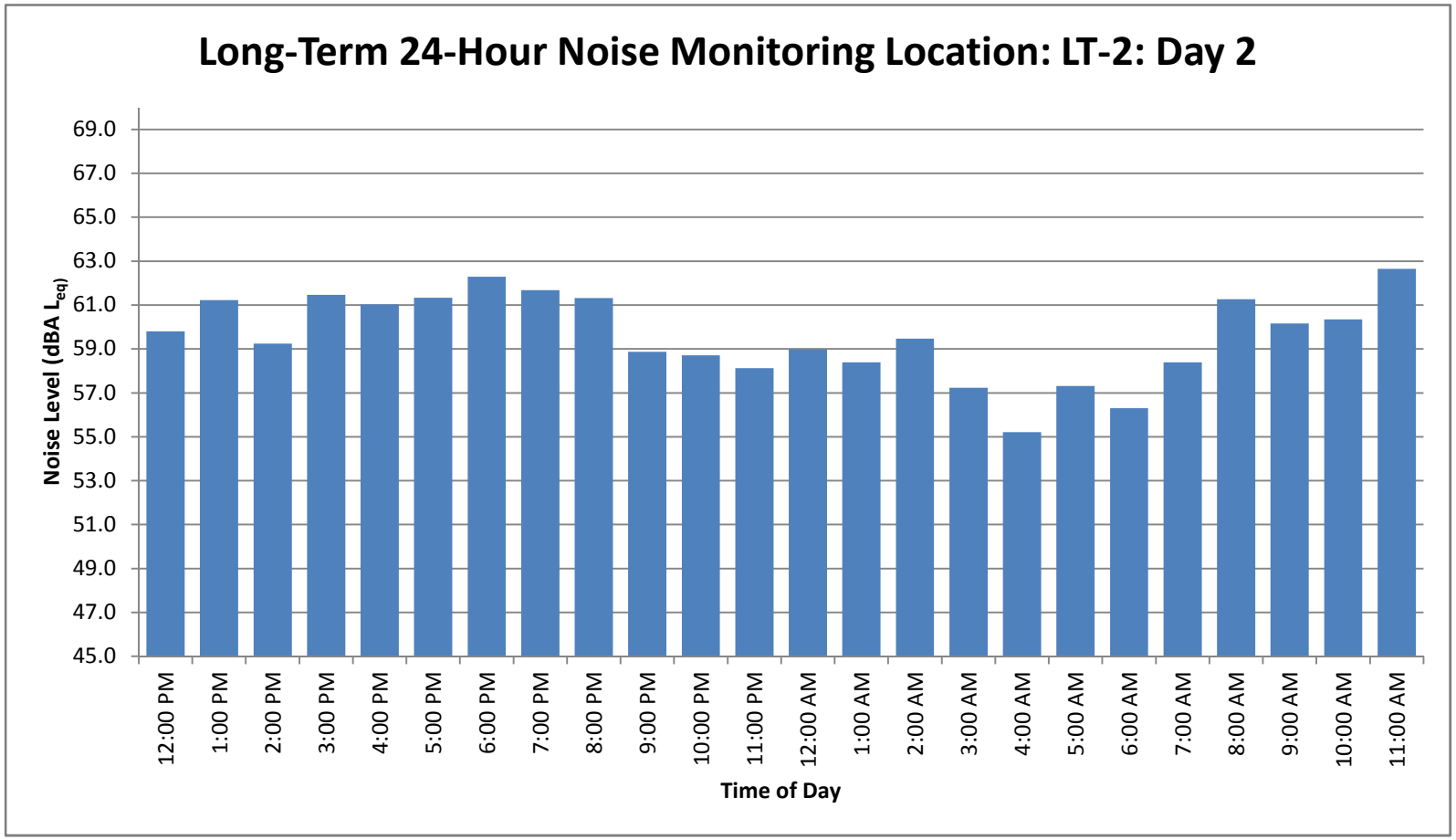
Time of Day


Long-Term 24-Hour Noise Monitoring Location: LT-2: Day 2
Noise Level (dBA Leq)
69.0
67.0
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59.0
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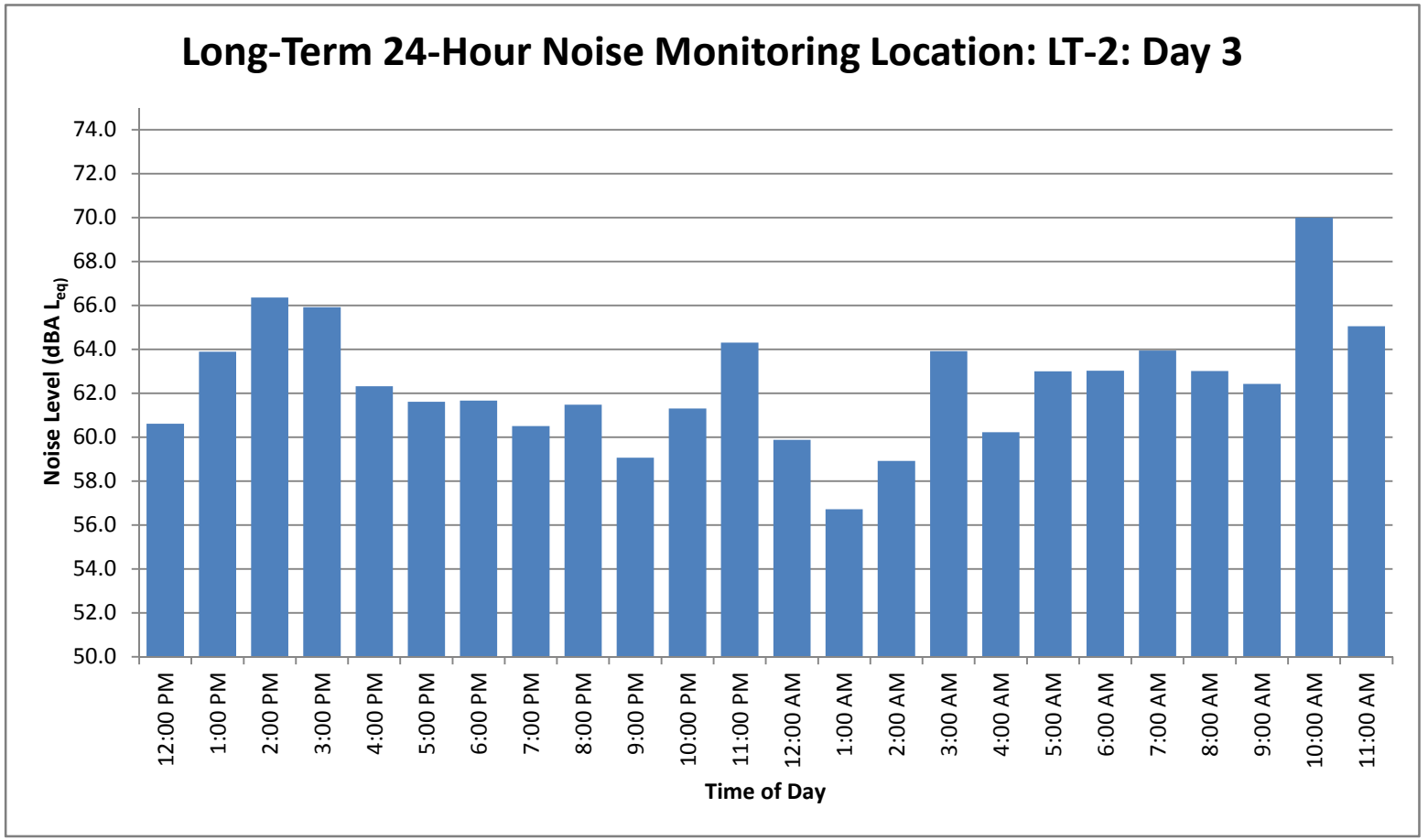
Time of Day


Long-Term 24-Hour Noise Monitoring Location: LT-2: Day 3
Noise Level (dBA Leq)
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72.0
70.0
68.0
66.0
64.0
62.0
60.0
58.0
56.0
54.0
52.0
50.0
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Time of Day

Noise Measurement Survey – 24 HR

Project Number: LPD1702
Project Name: Diablo Energy

Test Personnel: JT / Kaitlin
Equipment: Quest Noise Pro DLX

Site Number: LT-3 Date: 10/27-10/30/17

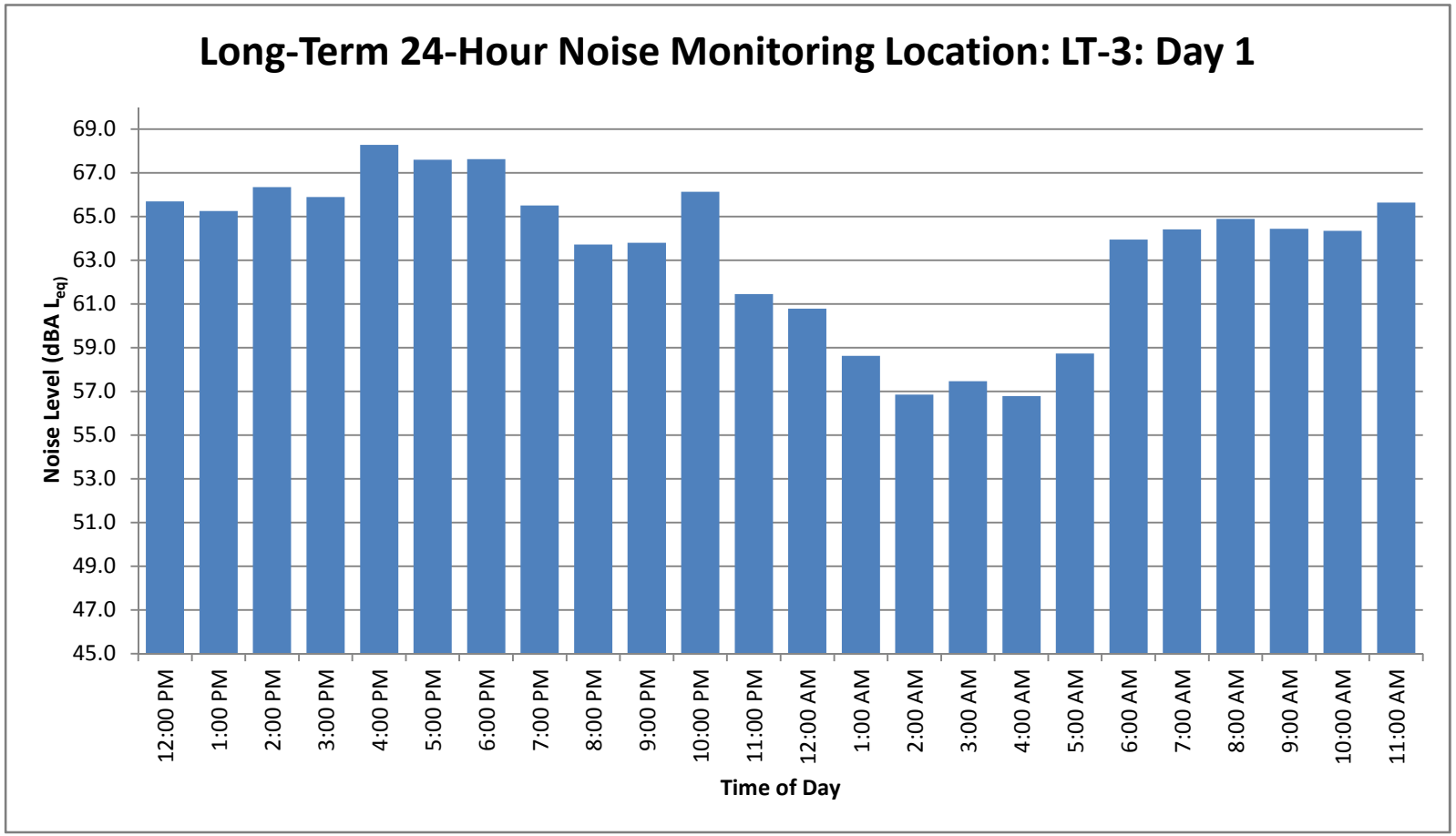
Time: From 12 pm To 1:23pm

Site Location: Southwest of the Proposed Project Site, south of Parkside Drive

Primary Noise Sources: Traffic on Parkside Drive, Corona Noise

Comments: Serial Number: NXU07002A

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Noise Level (dBA Leq)
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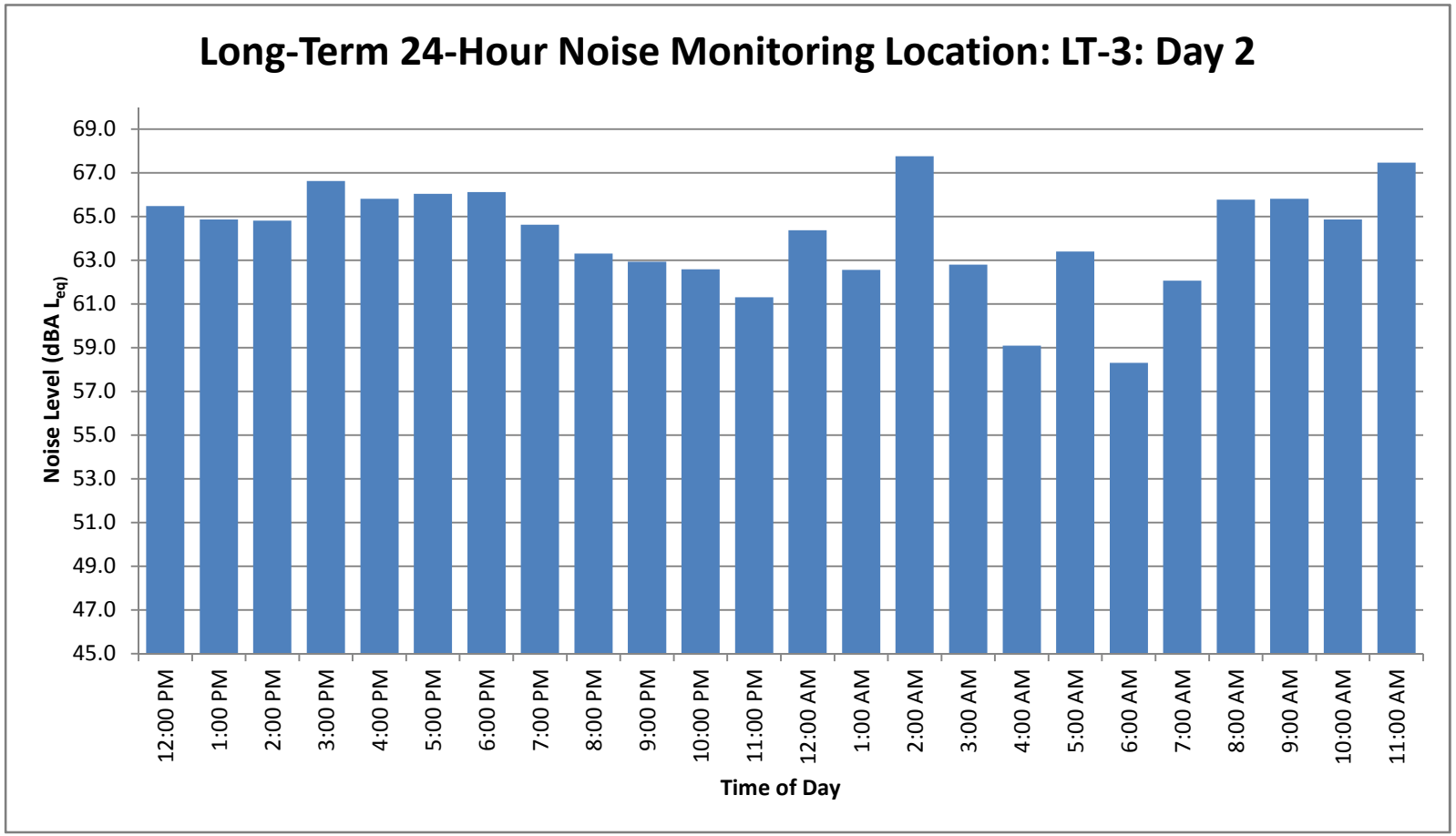
Time of Day


Long-Term 24-Hour Noise Monitoring Location: LT-3: Day 2
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51.0
49.0
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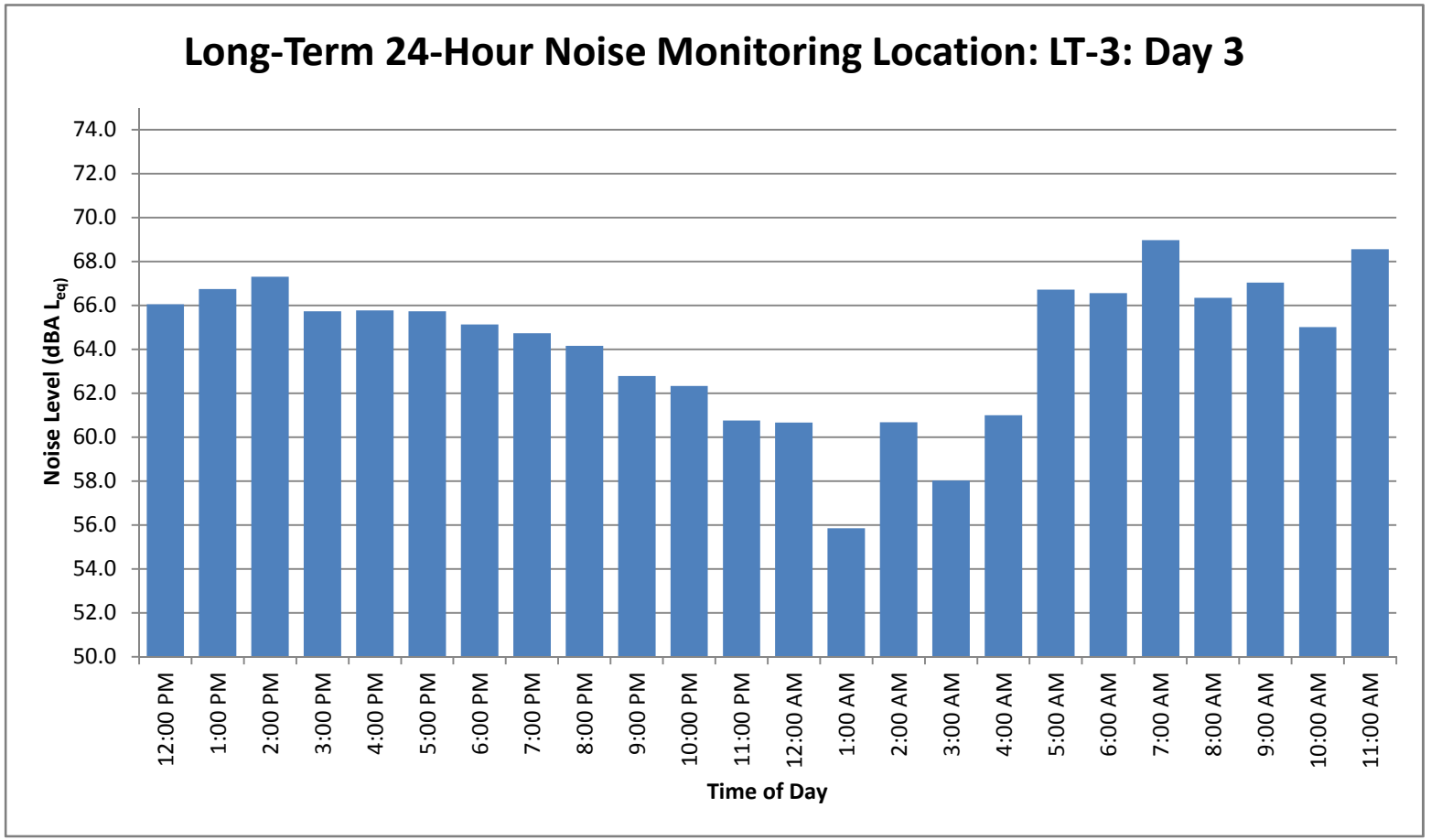
Time of Day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Time of Day

Noise Measurement Survey

Project Number: LPD1702
Project Name: Diablo Energy

Test Personnel: JT Stephens
Equipment: LD LxT

Site Number: ST-1 Date: 10/27/17

Time: From 1:21p To 1:34p.

Site Location: SE Corner of existing Industrial Building
Along fence line. Close to single-family Homes

Primary Noise Sources: Forklift operations / back-up beeper
trains

Comments: 9'-10' high prop. line fence.
Forklift pass-by 64-66dBA
Backup beeper 61 dBA when near door

Adjacent Roadways: Existing Rail Line

File:	64
L_{eq}	55.9
L_{max}	69.3
L_{min}	37.9
$L_{2\ 5}$	63.2
$L_{8\ 10}$	60.3
L_{25} 39.3	52.3
L_{50}	49.7
L_{90} 66.4	43.4
L_{95} 90	39.3

Atmospheric Conditions	
Average Wind Velocity (mph)	0.9
Maximum Wind Velocity (mph)	1.9
Temperature (F)	87.2
Relative Humidity (%)	21

Noise Measurement Survey

Project Number: LPD1702
Project Name: Diablo Energy

Test Personnel: JT Stephens
Equipment: LD LxT

Site Number: ST-2 Date: 10/27/17

Time: From 1:44p To

Site Location: West of project site, NW corner of existing parking lot

Primary Noise Sources: Truck and Vehicle movements
Loading Dock Activities / Forklift.
Traffic on Willow Pass Rd (faint)
Airplanes

Comments: ~ 20 dock @ building.

Adjacent Roadways: Willow Pass Rd.

File:	65
L_{eq}	49.0
L_{max}	62.1
L_{min}	40.3
L_{2} ~~5~~	52.8
L_{8} ~~10~~	51.5
L_{25} ~~33.3~~	48.9
L_{50}	47.5
L_{90} ~~66.6~~	46.2
L_{99} ~~90~~	43.2

Atmospheric Conditions	
Average Wind Velocity (mph)	1.0
Maximum Wind Velocity (mph)	3.0
Temperature (F)	67.4
Relative Humidity (%)	21%

Appendix E

NAHC Correspondence

NATIVE AMERICAN HERITAGE COMMISSION
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
Fax (916) 373-5471

May 30, 2017

Howard Higgins
TRC Environmental

Sent by Email: hhiggins@trcsolutions.com
Number of Pages: 2

RE: Diablo Project, Honker Bay, Contra Costa County

Dear Mr. Higgins:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. **Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.**

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. **By contacting all those on the list, your organization will be better able to respond to claims of failure to consult.** If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: Sharaya.souza@nahc.ca.gov.

Sincerely,

Sharaya Souza
Staff Services Analyst

Native American Heritage Commission
Native American Contacts
5/30/2017

Amah MutsunTribal Band of Mission San Juan Bautista
Irenne Zwierlein, Chairperson
789 Canada Road — Ohlone/Costanoan
Woodside , CA 94062
amahmutsuntribal@gmail.com
(650) 851-7489 Cell
(650) 851-7747 Office
(650) 332-1526 Fax

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28 — Ohlone/Costanoan
Hollister , CA 95024
ams@indiancanyon.org
(831) 637-4238

Muwekma Ohlone Indian Tribe of the SF Bay Area
Rosemary Cambra, Chairperson
P.O. Box 360791 — Ohlone / Costanoan
Milpitas , CA 95036
muwekma@muwekma.org
(408) 314-1898
(510) 581-5194

North Valley Yokuts Tribe
Katherine Erolinda Perez, Chairperson
P.O. Box 717 — Ohlone/Costanoan
Linden , CA 95236 — Northern Valley Yokuts
canutes@verizon.net — Bay Miwok
(209) 887-3415

The Ohlone Indian Tribe
Andrew Galvan
P.O. Box 3152 — Ohlone/Costanoan
Fremont , CA 94539 — Bay Miwok
chochenyo@AOL.com — Plains Miwok
(510) 882-0527 Cell — Patwin

(510) 687-9393 Fax

Wilton Rancheria
Raymond Hitchcock, Chairperson
9728 Kent Street — Miwok
Elk Grove , CA 95624
rhitchcock@wiltonrancheria-nsn.gov
(916) 683-6000 Office

(916) 683-6015 Fax

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code

This list is only applicable for contacting local Native Americans with regard to cultural resources assessments for the updated contact list for Diablo Project, Honker Bay, Contra Costa County.

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

December 11, 2017

Wilton Rancheria
Raymond Hitchcock, Chairperson
9728 Kent Street
Elk Grove, CA 95624

Subject: **AB 52 Tribal Consultation for the Diablo Energy Storage Project**

Raymond Hitchcock:

The City of Pittsburg has received a request for formal notice of and information on proposed projects within the geographic area of the City's jurisdiction from your tribe per Public Resources Code, Section 21080.3.1(b). In accordance with Public Resources Code, Section 21080.3.1(d), the City of Pittsburg is hereby providing formal notification to your tribe of the Diablo Energy Storage Project.

In September 2017, Diablo Energy Storage LLC submitted an application requesting a Conditional Use Permit, Zoning Text Amendment and Design Review for a Battery Storage Project. The applicant proposes to install up to three single story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The proposed project would also include a tie in line to the existing PG&E Substation. Three alternative routes are shown on the attached project location map.

If your tribe would like to consult on this project, please submit a request for consultation to the City at the following address:

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Per Public Resources Code, Section 21080.3.1(d), a request for consultation must be submitted within 30 days of receipt of this letter.

If you have any questions, please contact me at (925) 252-4043 or via e-mail at KPollot@ci.pittsburg.ca.us.

Sincerely,

Kristin Pollot,
Planning Manager

Attachment: Project Location Map

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

December 13, 2017

North Valley Yakuts Tribe
Katherine Erolinda Perez, Chairperson
P. O. Box 717
Linden, CA 95236

Subject: **AB 52 Tribal Consultation for the Diablo Energy Storage Project**

Katherine Erolinda Perez:

The City of Pittsburg has received a request for formal notice of and information on proposed projects within the geographic area of the City's jurisdiction from your tribe per Public Resources Code, Section 21080.3.1(b). In accordance with Public Resources Code, Section 21080.3.1(d), the City of Pittsburg is hereby providing formal notification to your tribe of the Diablo Energy Storage Project.

In September 2017, Diablo Energy Storage LLC submitted an application requesting a Conditional Use Permit, Zoning Text Amendment and Design Review for a Battery Storage Project. The applicant proposes to install up to three single story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The proposed project would also include a tie in line to the existing PG&E Substation. Three alternative routes are shown on the attached project location map.

If your tribe would like to consult on this project, please submit a request for consultation to the City at the following address:

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Per Public Resources Code, Section 21080.3.1(d), a request for consultation must be submitted within 30 days of receipt of this letter.

If you have any questions, please contact me at (925) 252-4043 or via e-mail at KPollot@ci.pittsburg.ca.us.

Sincerely,

Kristin Pollot,
Planning Manager

Attachment: Project Location Map

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

December 13, 2017

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P. O. Box 28
Hollister, CA 95024

Subject: **AB 52 Tribal Consultation for the Diablo Energy Storage Project**

Ann Marie Sayers:

The City of Pittsburg has received a request for formal notice of and information on proposed projects within the geographic area of the City's jurisdiction from your tribe per Public Resources Code, Section 21080.3.1(b). In accordance with Public Resources Code, Section 21080.3.1(d), the City of Pittsburg is hereby providing formal notification to your tribe of the Diablo Energy Storage Project.

In September 2017, Diablo Energy Storage LLC submitted an application requesting a Conditional Use Permit, Zoning Text Amendment and Design Review for a Battery Storage Project. The applicant proposes to install up to three single story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The proposed project would also include a tie in line to the existing PG&E Substation. Three alternative routes are shown on the attached project location map.

If your tribe would like to consult on this project, please submit a request for consultation to the City at the following address:

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Per Public Resources Code, Section 21080.3.1(d), a request for consultation must be submitted within 30 days of receipt of this letter.

If you have any questions, please contact me at (925) 252-4043 or via e-mail at KPollot@ci.pittsburg.ca.us.

Sincerely,

Kristin Pollot,
Planning Manager

Attachment: Project Location Map

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

December 13, 2017

Amah Mutsun Tribal Band of Mission San Juan Bautista
Irene Zwierlein, Chairperson
789 Canada Road
Woodside, CA 94062

Subject: **AB 52 Tribal Consultation for the Diablo Energy Storage Project**

Irene Zwierlein:

The City of Pittsburg has received a request for formal notice of and information on proposed projects within the geographic area of the City's jurisdiction from your tribe per Public Resources Code, Section 21080.3.1(b). In accordance with Public Resources Code, Section 21080.3.1(d), the City of Pittsburg is hereby providing formal notification to your tribe of the Diablo Energy Storage Project.

In September 2017, Diablo Energy Storage LLC submitted an application requesting a Conditional Use Permit, Zoning Text Amendment and Design Review for a Battery Storage Project. The applicant proposes to install up to three single story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The proposed project would also include a tie in line to the existing PG&E Substation. Three alternative routes are shown on the attached project location map.

If your tribe would like to consult on this project, please submit a request for consultation to the City at the following address:

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Per Public Resources Code, Section 21080.3.1(d), a request for consultation must be submitted within 30 days of receipt of this letter.

If you have any questions, please contact me at (925) 252-4043 or via e-mail at KPollot@ci.pittsburg.ca.us.

Sincerely,

Kristin Pollot,
Planning Manager

Attachment: Project Location Map

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

December 13, 2017

The Ohlone Indian Tribe
Andrew Galvin
P. O. Box 3152
Fremont, CA 94539

Subject: **AB 52 Tribal Consultation for the Diablo Energy Storage Project**

Andrew Galvin:

The City of Pittsburg has received a request for formal notice of and information on proposed projects within the geographic area of the City's jurisdiction from your tribe per Public Resources Code, Section 21080.3.1(b). In accordance with Public Resources Code, Section 21080.3.1(d), the City of Pittsburg is hereby providing formal notification to your tribe of the Diablo Energy Storage Project.

In September 2017, Diablo Energy Storage LLC submitted an application requesting a Conditional Use Permit, Zoning Text Amendment and Design Review for a Battery Storage Project. The applicant proposes to install up to three single story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The proposed project would also include a tie in line to the existing PG&E Substation. Three alternative routes are shown on the attached project location map.

If your tribe would like to consult on this project, please submit a request for consultation to the City at the following address:

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Per Public Resources Code, Section 21080.3.1(d), a request for consultation must be submitted within 30 days of receipt of this letter.

If you have any questions, please contact me at (925) 252-4043 or via e-mail at KPollot@ci.pittsburg.ca.us.

Sincerely,

Kristin Pollot,
Planning Manager

Attachment: Project Location Map

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

December 13, 2017

Muwekma Ohlone Indian Tribe of the SF Bay Area
Rosemary Cambra, Chairperson
P. O. Box 360791
Milpitas, CA 95036

Subject: **AB 52 Tribal Consultation for the Diablo Energy Storage Project**

Rosemary Cambra:

The City of Pittsburg has received a request for formal notice of and information on proposed projects within the geographic area of the City's jurisdiction from your tribe per Public Resources Code, Section 21080.3.1(b). In accordance with Public Resources Code, Section 21080.3.1(d), the City of Pittsburg is hereby providing formal notification to your tribe of the Diablo Energy Storage Project.

In September 2017, Diablo Energy Storage LLC submitted an application requesting a Conditional Use Permit, Zoning Text Amendment and Design Review for a Battery Storage Project. The applicant proposes to install up to three single story buildings on a graded and vacant approximately 12 acre site representing a portion of an approximately 35 acre parcel located at 701 Willow Pass Road, Pittsburg, California (APN 085-280-010). The proposed project would also include a tie in line to the existing PG&E Substation. Three alternative routes are shown on the attached project location map.

If your tribe would like to consult on this project, please submit a request for consultation to the City at the following address:

Kristin Pollot, Planning Manager
City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565

Per Public Resources Code, Section 21080.3.1(d), a request for consultation must be submitted within 30 days of receipt of this letter.

If you have any questions, please contact me at (925) 252-4043 or via e-mail at KPollot@ci.pittsburg.ca.us.

Sincerely,

Kristin Pollot,
Planning Manager

Attachment: Project Location Map

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

NOTICE OF PUBLIC MEETING

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

DATE: **May 26, 2020**
TIME: **7:00 p.m.**
PLACE: **Zoom Teleconference via Streaming Media on the City's homepage, www.ci.pittsburg.ca.us (see public advisory on last page)**

Concerning the following matter:

Diablo Energy Storage Project, 2020 Amendment, AP-20-1507 (DR).
This is an application by Kevin Johnson on behalf of Diablo Energy Storage, LLC, Inc. requesting design review approval of plans to allow for the installation of batteries in cubes and cores as an alternative to the batteries in buildings, previously approved by City Council Resolution No. 18-13531. The project site covers a 12-acre portion of the 35-acre Empire Business Park parcel located at 701 Willow Pass Road in the IP-O (Industrial Park Overlay) District. Assessor's Parcel No. 085-280-010.

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

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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.

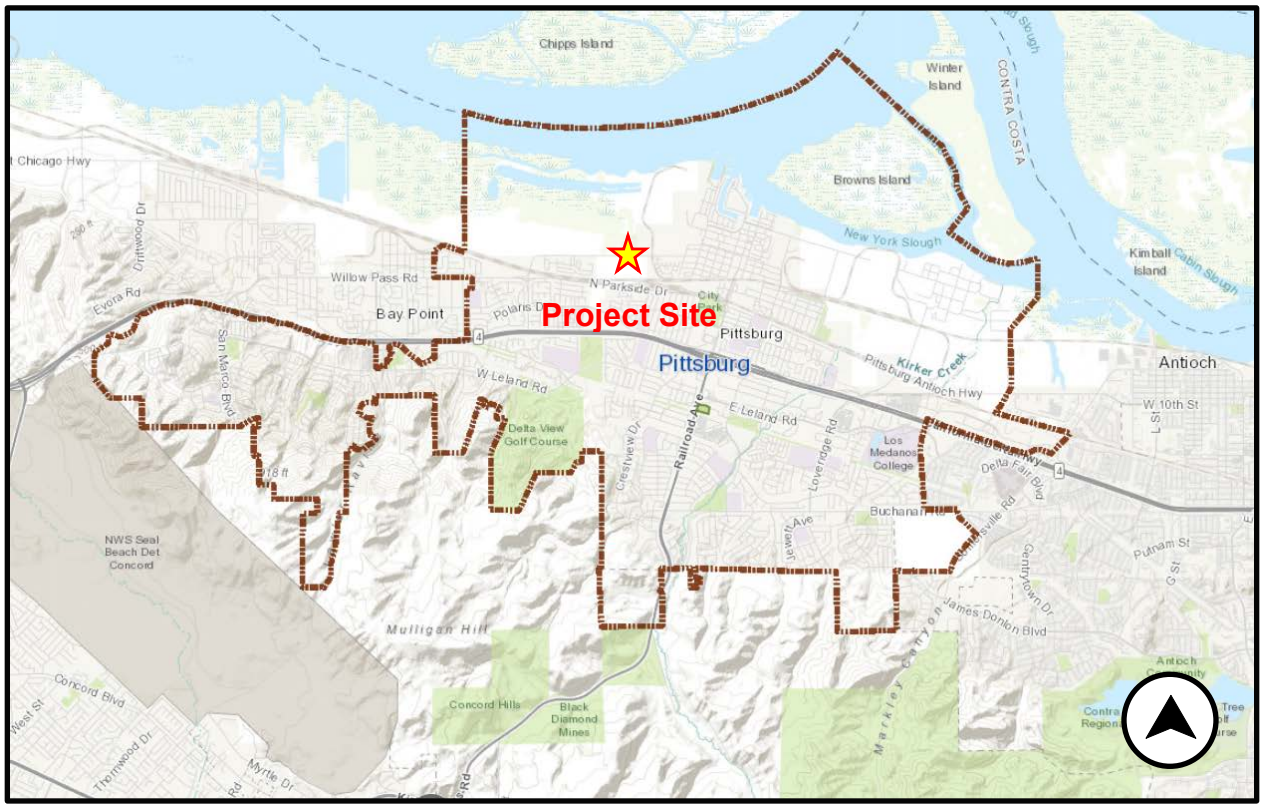
Where can I get more information about this project?
The complete file for this project is available for public inspection; please contact the project planner listed above to make necessary arrangements.

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. Comments during the meeting can be submitted via email to meetingcomments@ci.pittsburg.ca.us.

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 meeting described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

KRISTIN POLLOT, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Diablo Energy Storage Project, 2020 Amendment, AP-20-1507 (DR)
Location: 701 Willow Pass Road, APN: 085-280-010





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

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for **May 26, 2020** will be conducted telephonically through Zoom and broadcast live on the City's homepage.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Planning Commissioners will be participating telephonically and will not be physically present in the Council Chamber.

To view the meeting online during its broadcast:

1. Go to www.ci.pittsburg.ca.us
2. On the right-hand side of the page, click the "Streaming Media" button

Comments on this item can be submitted via email to:
meetingcomments@ci.pittsburg.ca.us

If you wish to have your comments read to the Planning Commissioners during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. If your comment is for a non-agenda item, indicate "FOR PUBLIC COMMENT – NON-AGENDA." Comments that you want read to the Commission will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Commission and not read at the meeting will be distributed to the Commission prior to the meeting if received by 5:00 p.m. the date of the meeting. Comments via text and social media (Facebook, Nextdoor, etc.) will not be accepted.

The City of Pittsburg thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

3.3 Evaluation of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
I. AESTHETICS -- Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☑	No
No Impact: *The proposed Project is not located within any scenic vista or scenic resources area designated in the City or County General Plans. Furthermore, neither the proposed Site facilities nor the electric line would be visible from any State- or County-designated Scenic Highway or Scenic Route. Existing uses surrounding the proposed Project include industrial and commercial developments to the north and south, a high voltage electric transmission line corridor to the west, and residential development to the east. Considering these factors, the Project would not impact any scenic vista. The revised project would continue to have no impact.*					
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑	No
No Impact: *No designated or eligible State scenic highways occur in the vicinity. The nearest State scenic highway is State Route (SR) -24, located approximately 24 miles south of the proposed Project location. The Project area is not visible from SR 24. Therefore, the Project would not affect scenic resources within a State scenic highway corridor. The Site is relatively flat and has been previously graded. There are no rock outcroppings, historic buildings, scenic tree stands or other scenic resources on the Site or electric line route. Considering these factors, there would be no impact to scenic resources. The revised project would continue to have no impact.*					
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☑	☐	No
Less than Significant Impact: *The Site is relatively flat and has been previously graded. Existing uses surrounding the proposed Project include industrial and commercial developments to the north and south, a high voltage electric transmission line corridor to the west, and residential development to the east. Considering these factors, the Project would not impact any scenic vista. The proposed Project features would not be out of scale or out of character with surrounding uses. An existing driveway bordering the east side of the Site is landscaped with non-native trees that would provide visual screening between the Site and the residential development to the east (refer to Figure 2 in the Project Description). Considering these factors, the proposed Project would not degrade the existing visual character or quality of the site and its surroundings. Therefore, the impact would be less than significant. Landscaping that would be completed consistent with City standards in conjunction with the Project would enhance existing visual characteristics of the Site. The revised project would have a similar impact of enhancing the visual landscape.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☑	☐	No
Less than Significant Impact: *The Project would normally be unoccupied and the design does include new permanent night lighting. Motion-activated lighting may be used where needed for safety or security such as at access gates and doorways to buildings. If used, lighting would be directed downward and shielded to minimize visibility from offsite. As shown in the architectural renderings in Preliminary Site Plans, buildings would be single-story warehouse-type architecture that would not be a substantial source of glare. The electric tie-line would not have night lighting or large planar surfaces that could be a source of glare. Considering these factors, the Project would not create a new source of substantial light or glare that could affect day or nighttime views. Therefore, the impact would be less than significant. The revised project would continue to have a less than significant impact.*					
II. AGRICULTURE AND FOREST RESOURCES -- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					
No Impact: *No farmlands occur in the vicinity of the proposed Project so no farmlands would be affected by the Project. The revised project would continue to have no impact.*					
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑	No
No Impact: *No lands zoned for agriculture occur in the vicinity of the proposed Project so no lands zoned for agriculture or under a Williamson Act contract would be affected by the Project. The revised project would continue to have no impact.*					
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☑	No
No Impact: *No lands zoned forest land, timberland or timberland production occur in the vicinity of the proposed Project so no lands zoned forest land, timberland or timberland production would be affected by the Project. The revised project would continue to have no impact.*					
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☑	No
No Impact: *No forest lands occur in the vicinity of the proposed Project so no forest lands would be affected by the Project. The revised project would continue to have no impact.*					
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☑	No
No Impact: *The proposed Project comprises infill development in an urbanized area. The site has been previously graded. Access is via the existing paved Willow Pass Road. There are no farmlands or forest lands in the vicinity of the proposed Project that could be affected. The proposed Project does not include any action that would result in rezoning or conversion of agricultural or forest land. Therefore, there would be no impact. The revised project would continue to have no impact.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐	No

Less than Significant Impact: *The proposed Project would be located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The Project would not conflict with or obstruct implementation of any applicable air quality plan. The Project would not add dwelling units or structures that would generate operational emissions, or add full-time employees that would commute to and from the Projects on a daily basis. The Site would be unoccupied but visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. Operations would not result in emissions to air other than exhaust emissions from vehicle use for these periodic visits. These emissions would be minor considering the small and infrequent level of activity. Therefore, operations emissions would be less than significant.*

Project construction would result in dust and fuel-burning emissions. The BAAQMD significance thresholds for construction activities are provided in the following table along with maximum daily Project construction emissions as estimated by CalEEMod (Appendix B).

Criteria Pollutant	***Average Daily Threshold (pounds)***	***Project Emissions (max pounds/day)***	***Significant?***
Oxides of Nitrogen (NOx)	*54*	*45.9*	*No*
Reactive Organic Gasses (ROGs)	*54*	*5.4*	*No*
Exhaust Particulate Matter (PM10)	*82*	*2.3*	*No*
Exhaust Particulate Matter (PM2.5)	*54*	*2.1*	*No*

Source: BAAQMD CEQA Air Quality Guidelines, Updated May 2017.

The design for Project construction includes applying water to disturbed surfaces as needed to control dust (see Section 3.4 in Appendix A), and this control measure is reflected in the CalEEMod results in the table above. Consistent with BAAQMD guidelines (BAAQMD, 2012), unstabilized surfaces would be watered two times per day if needed. A nontoxic dust palliative may also be used. Furthermore, pursuant to the City Grading Ordinance (Section 15.88.060) during grading, all graded surfaces and materials are required to be wetted, protected or otherwise contained in such a manner as to prevent any nuisance from dust or spillage upon adjoining streets, and equipment and material on the site must be used in such a manner as to avoid excessive dust. Additional measures that would be implemented during construction to conform with grading ordinance requirements for dust control include: stabilizing disturbed surfaces as soon as practical; covering haul trucks transporting soil, sand or other loose materials offsite; use of BMPs to minimize track-out; and implementing a 15 mile per hour speed limit for unstabilized roadways.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact

Crushed rock would be used to stabilize road surfaces as needed for to meet CCCFPD requirements, and areas that are not graveled or occupied by foundations would be stabilized by re-vegetation, application of a non-toxic soil binder, or other means of stabilization (see Section 3.2 and Preliminary Design Drawings in Appendix A). The design for Project construction includes applying water to disturbed surfaces as needed to control dust. The following requirements as set forth in Title 13 of the California Code of Regulations for diesel-fueled construction equipment would additionally help to ensure that emission levels during construction do not conflict with or obstruct implementation of BAAQMD's air quality plans:

- *Individual diesel truck idling in excess of five consecutive minutes would be prohibited consistent with Title 13 of the California Code of Regulations §2485.*
- *Diesel-power construction equipment would use low-sulfur diesel fuel pursuant to requirements of Title 13 of the California Code of Regulations §2281.*

Construction emissions are temporary and significance thresholds are based on peak daily emissions. Peak daily emissions for the proposed Project would occur during grading when diesel fuel-burning heavy earthmoving equipment is being used. It is estimated that Site grading and preparation would require the following equipment:

TYPE	*QUANTITY*
Bulldozer (e.g., CAT D7)	*1*
Grader (e.g., CAT D7)	*1*
Scraper (15-30 CY)	*2*
Water Truck (3,000- 5,000 gal)	*1*
Self-Propelled Compactor	*1*
Dump Truck	*1*
Tractor/Loader/Backhoe (e.g., Case 590)	*1*
Bobcat	*1*

The Project site has been previously graded and is nearly flat. Estimated grading quantities are provided on Sheet C-1 in the Preliminary Site Plans. The estimated construction emissions are below significance thresholds. Therefore, it is concluded that construction emissions from the proposed project would be below significance thresholds. A summary of the CalEEMod input and output is provided in Appendix B. The grading for the revised project would be essentially the same as the original project therefore the revised project would continue to have less than significant impact.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☑	☐	No

Less than Significant Impact: *As described in Response IIIa, construction emissions would be temporary and would not exceed construction-related significance thresholds. Further, the Project would not add residential units or be growth-inducing. The Project would not diminish an existing air quality rule or future compliance requirement. As a result, the Project would not violate any applicable*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
federal or state air quality standard or contribute substantially to an existing or projected air quality violation. The revised project would continue to have a less than significant impact.					
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors*)?*	☐	☐	☑	☐	No
Less than Significant Impact: *BAAQMD is state and/or federal nonattainment for ozone and fine particulate matter (PM-2.5) and state nonattainment for coarse particulate matter (PM-10). Operation of the proposed Project would not generate notable particulate emissions. The particulate emissions from periodic Site visits would be too negligible to result in a cumulative net increase in PM-10 or PM-2.5 concentrations. Construction emissions would not exceed construction-related significance thresholds. These thresholds were designed to establish the level at which the BAAQMD believes emissions could cause significant environmental impacts under CEQA when considered in conjunction with other sources. The proposed Project would not conflict with any air quality plan or regulation. Considering these factors, the proposed Project would not result in a cumulatively considerable net increase of any non-attainment criteria pollutant. The revised project would continue to have a less than significant impact.*					
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☑	☐	No
Less than Significant Impact: *Sensitive receptors are land uses that include members of the population that are particularly sensitive to the effects of air pollution such as children and the elderly and people with illnesses. Examples include residences, hospitals, schools, or convalescent homes. The nearest sensitive receptor is a residential community located east of the Site. The proposed Project would operate without pollutant emissions. Construction emissions would be less than significant as described in Response IIIa above. Considering these factors, the proposed Project would not expose sensitive receptors to substantial pollutant concentrations. The revised project would continue to have a less than significant impact.*					
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐	No
Less than Significant Impact: *Project operations would not be a source of odors. Diesel engine emissions during construction may be a potential source of odor, primarily during grading. However, emissions from grading and other construction emissions would be short-term and separation between offsite receptors and diesel fuel burning equipment on the site would result in dissipation of exhaust emissions so that, if odors are detectable offsite, they would not be substantial. Operation of the proposed Project would not be a source of odor emissions. Considering these factors, if odor is detectable offsite, any impact of the revised project would continue to be less than significant.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
IV. BIOLOGICAL RESOURCES -- Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☑	☐	☐	No

Less than Significant With Mitigation Incorporated: *Except for a portion of the tie-line West Alignment, if used, the Project would be located on lands that are 100 percent disturbed and comprised primarily of non-native grassland and urban features that do not provide important habitat for any sensitive species. The Applicant completed a planning survey report to support the Application for coverage under the HCP/NCCP and proposes to comply with the HCP/NCCP for Project features within the HCP/NCCP area including mitigation fees for non-native grassland, and pre-construction surveys for burrowing owl, Swainson's hawk, Golden Eagle and other nesting birds. The portion of the tie-line West Alignment that is outside of the HCP/NCCP area is north of Willow Pass Road (Figure 5) where the ground surface is low and comprised of grassland and wetlands.*

A search of the CNDDB and IPaC databases was conducted to evaluate the potential for occurrence of protected species for the West Alignment as well as the grassland and urbanized areas of the Project footprint. Together, the CNDDB and IPaC databases indicated that 14 special status plant and 24 special status wildlife species have been recorded within a three-mile radius (Appendix C). Based on evaluation of habitat needs and habitats present at or adjacent to Project features, it was determined that none of these species are likely to occur within or adjacent to the Project footprint, except for where the West Alignment is located north of Willow Pass Road. Disturbance along this alignment could include up to 0.38 acre of long-term disturbance and an additional 1.09 acres of short-term (construction) disturbance in possible wetlands, all outside of the HCP/NCCP boundaries. In short term disturbance areas the surface would be stabilized by returning the disturbance to approximate pre-construction conditions. In the low lying portion of the West Alignment, six special status plant species and three special status wildlife species were determined to have at least a moderate potential to occur, as shown in following tables. Pittsburg and surrounding areas are broadly mapped as critical habitat for the Delta smelt. No aspect of the Project is expected to directly or indirectly impact waters providing Delta smelt habitat. Best Management Practices (BMP) measures required during construction under the State General Permit would protect water quality and prevent indirect impacts to this species.

SPECIAL STATUS PLANT SPECIES WITH MODERATE OR GREATER POTENTIAL FOR OCCURRENCE ON OR ADJACENT TO THE WEST ALIGNMENT

Scientific Name **Common Name**	**Status**		**Habitat Requirements**	**Potential for Occurrence**
Chloropyron molle ssp. *molle* Soft salty bird's-beak	Fed: CA: CNPS/CRPR:	FE SR 1B.2	Hemiparasitic annual herb. Habitat includes coastal salt marshes and swamps. Blooms June-November. Elevation 0-3 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Cicuta maculata var. *bolanderi* Bolander's water hemlock	Fed: CA: CNPS/CRPR:	None None 2B.1	Perennial herb. Habitat includes marshes and swamps with coastal, fresh, or brackish water. Blooms July-September. Elevation 0-200 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat of within the typical elevation range of this species.
Lathyrus jepsonii var. *jepsonii* Delta tule pea	Fed: CA: CNPS/CRPR:	None None 1B.2	Perennial herb. Habitat includes marshes and swamps with fresh or brackish water. Blooms May-July (August-September). Elevation 0-5 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Limosella australis Delta mudwort	Fed: CA: CNPS/CRPR:	None None 2B.1	Perennial stoloniferous herb. Habitat usually mud banks. Also found in riparian scrub, and marshes and swamps with fresh or brackish waters. Blooms May-August. Elevation 0-3 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Lilaeopsis masonii Mason's lilaeopsis	Fed: CA: CNPS/CRPR:	None SR 1B.1	Perennial rhizomatous herb. Habitat is marshes and swamps with fresh or brackish water, and riparian scrub. Blooms April-November. Elevation 0-10 meters.	**Moderate Potential**: The project area may include marsh or wetland habitat within the typical elevation range of this species.
Symphyotrichum lentum Suisun marsh aster	Fed: CA: CNPS/CRPR:	None None 1B.2	Perennial rhizomatous herb. Habitat is marshes and swamps with fresh or brackish water. Blooms (April) May-November. Elevation 0-3 meters.	**Moderate Potential**: The project area may be within marsh or wetland habitat of within the typical elevation range of this species.

Federal Designations: FE = Federal Endangered FT=Federal Threatened FC=Candidate for Federal Listing BCC = USFWS Bird of Conservation Concern	**California Rare Plant Ranks (CRPR):** **1A:** Presumed extirpated in California and rare or extinct elsewhere **1B:** Rare, threatened, or endangered in California and elsewhere **2A:** Presumed extirpated in California, but more common elsewhere **2B:** Rare, threatened, or endangered in California, but more common elsewhere **3:** Review list of plants requiring more study **4:** Watch list of plants of limited distribution
CA State Designations: SE=State Endangered ST= State Threatened SR = State Rare SFP = State-Fully Protected SSC= Species of Special Concern WL = Watch List Species	**California Native Plant Society (CNPS) Threat Code:** **.1:** Seriously threatened in California **.2:** Moderately threatened in California **.3:** Not very threatened in California

SPECIAL STATUS WILDLIFE SPECIES WITH MODERATE OR GREATER POTENTIAL FOR OCCURRENCE ON OR ADJACENT TO THE WEST ALIGNMENT

Scientific Name Common Name	Status		Habitat Requirements	Potential for Occurrence
Actinemys marmorata Western pond turtle	Fed: CA:	None SSC	Found in slow moving streams, lakes, ponds, and wetlands.	**Moderate Potential**: The project area may include marsh or wetland habitat suitable for this species.
Melospiza melodia maxillaris Suisun song sparrow	Fed: CA:	BCC SSC	Found in the brackish-marsh waters of Suisun Bay. Utilize a matrix of emergent vegetation including bulrush and cattails.	**Moderate Potential**: The project area may include marsh or wetland habitat similar to locations of known occurrences in the vicinity.
Reithrodontomys raviventris Salt-marsh harvest mouse	Fed: CA:	E E; SFP	Found in saline emergent wetlands of San Francisco Bay. Require salt marsh vegetation, primarily pickleweed. Nest in grasses, or utilize abandoned bird nests. Known population adjacent to project area.	**Moderate Potential**: The project area may include marsh or wetland habitat similar to a nearby area with a known SMHM population.
Federal Designations FE = Federal Endangered FT=Federal Threatened FC=Candidate for Federal Listing BCC = USFWS Bird of Conservation Concern				**State Designations:** SE=State Endangered ST= State Threatened SFP = State-Fully Protected SSC= Species of Special Concern WL = Watch List Species

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact

Of the six special status plant species determined to have a moderate potential to occur, the soft salty bird's beak is the only federally protected species. This plant's habitat includes coastal salt marshes and swamps at elevations of 0 to 3 meters and there are known occurrences within three miles of the Project. The soft salty bird's beak and Mason's lilaeopsis both have State Rare status. Bowlander's water hemlock, Delta tule pea, Delta mudwort and Suisun marsh aster are not protected under the federal or State Endangered Species Acts but are ranked by CNPS as shown. Any of these species are estimated to have a moderate probability to occur in the vicinity of the West Alignment since these species can occur in similar swampy areas and conditions. If the West Alignment is used, the Project could impact these species, if present, through direct disturbance for construction of tie-line structures, access and stringing. If these species are present, the impact of direct disturbance could be significant. However, Mitigation Measure BIO-1 would limit the potential for impact to these species to a less than significant level. The tie-line, by the nature of its design, can have support structure locations modified if needed and, therefore, it is expected that sensitive plants could be avoided or mitigated to a level that is less than significant by implementation of BIO-1.

Of the three special status animal species determined to have a moderate potential to occur, the salt-

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact

marsh harvest mouse is the only federally protected species and is Endangered under the federal ESA. This species habitat includes wetlands and marsh vegetation and there are known occurrences within three miles of the Project in terrain similar to that which would be traversed by the West Alignment, if used. The salt-marsh harvest mouse also is Endangered under the State ESA and is designated as a State Fully Protected Species meaning that the State cannot issue a Take permit or otherwise authorize a development project to Take any individual. If the West Alignment is used, the Project could impact this species, if present, through direct disturbance for construction of tie-line structures, access and stringing, and through potential direct impacts from infrequent maintenance vehicle traffic. If this species is present, the impacts of direct disturbance and Project maintenance traffic could result in Take of individuals, which would be significant. However, Mitigation Measure BIO-2 would limit the potential for impact to this species to a less than significant level. The tie-line, by the nature of its design, can have support structure locations modified if needed and, therefore, it is expected that this species could be avoided or mitigated to a level that is less than significant by implementation of BIO-2.

The Suisun song sparrow is a USFWS Bird of Conservation Concern and a State Species of Special Concern. The Project could have the potential to impact this species if the West Alignment is used. The primary impact would be the potential for nest disruption during nesting season. The Project Description commits to pre-construction nesting bird surveys completed by a qualified biologist within 14 days prior to ground disturbance if construction would start during the nesting season (February 1-August 31), and avoidance of active nests with implementation of a buffer zone (see Section 3.4 in Appendix A). Work would not occur in the buffer zone until the biologist determines that the nest is inactive. The extent of the buffers would be based on consideration of the anticipated levels of noise or disturbance, ambient level of noise and other disturbance, if the species is present, and topographic or other barriers. These measures for avoiding impacts to active nests would limit the potential for impact to the Suisun song sparrow to a less than significant level.

The Western pond turtle is not federally protected. It is a State Species of Special Concern. If the West Alignment is used, the Project could impact this species, if present, through direct disturbance for construction of tie-line structures, access and stringing, and through potential direct impacts from infrequent maintenance vehicle traffic. If this species is present, the impacts of direct disturbance and Project maintenance traffic could result in loss of individuals, which could be significant. However, Mitigation Measure BIO-3 would limit the potential for impact to this species to a less than significant level. It is expected that this species could be avoided or mitigated to a level that is less than significant by implementation of BIO-3.

Mitigation Measure BIO-1:

If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Applicant shall provide biological, wetlands and jurisdictional waters survey reports accompanying the final tie-line design demonstrating that facilities and access are designed to minimize disturbance to sensitive plants to the extent practical for safe and efficient construction. Reports provided by the Applicant shall be prepared by qualified professionals and shall address federal and state jurisdictional waters and potential for occurrence of Soft salty bird's-beak, Bolander's water hemlock, Delta tule pea, Delta mudwort, Mason's lilaeopsis, Suisun marsh aster based on pedestrian transect surveys for the portion of the West Alignment north of Willow Pass Road including final access routes. The project shall be designed to avoid direct impact to soft salty bird's beak and Mason's lilaeopsis, as well as Bolander's water hemlock, Delta tule pea, Delta mudwort, and Suisun marsh aster. If direct impact to

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact

soft salty bird's beak and Mason's lilaeopsis cannot be practically avoided, then the applicant shall consult with USFWS and CDFW to develop a plan for transplanting affected individuals to an appropriate adjacent location. The plan shall be subject to review by USFWS and CDFW and approval by the City prior to issuance of grading or building permits for the tie-line. If direct impact to Bolander's water hemlock, Delta tule pea, Delta mudwort, or Suisun marsh aster cannot be practically avoided, then the applicant shall submit a plan to the City for transplanting, restoring, or preserving these species including success criteria to offset individuals lost at a ratio of no less than 1:1, and shall obtain approval of the plan from the City prior to issuance of grading or building permits for the tie-line. Project construction shall be monitored by a qualified biologist where construction work is within or adjacent to federal or state jurisdictional waters or wetlands, or locations with State or federally listed plants or State Rare plants. Material revisions to the selected final tie-line alignment routing and structure locations shown and described in the Applicant's Project Description shall be subject to approval by the Planning Manager.

Mitigation Measure BIO-2:
If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Applicant shall provide a biological survey report prepared by a qualified professional accompanying the final tie-line design addressing potential for occurrence of salt-marsh harvest mouse. The project shall be designed to avoid any Take of salt-marsh harvest mouse under the State ESA. If impact to salt-marsh harvest mouse habitat cannot be practically avoided, then the applicant shall develop a plan for construction to ensure no State ESA Take during construction, and for restoring or preserving habitat for this species at an area ratio of no less than 3 to 1. The plan shall be subject to review by USFWS and CDFW and approval by the City prior to issuance of grading or building permits for the tie-line.

Mitigation Measure BIO-3:
If the tie-line West Alignment is used, a qualified biologist shall conduct a pre-construction survey for western pond turtles no more than 30 days prior to construction in suitable aquatic habitats in and adjacent to the West Alignment work area. A combination of visual and trapping surveys may be performed with authorization from the California Department of Fish and Wildlife. If the species is found near any proposed construction areas, impacts on individuals and their habitat shall be avoided to the extent feasible. If occupied habitat can be avoided, an exclusion zone shall be established around the habitat and clearly marked with temporary fencing for avoidance during construction. If avoidance is not possible and the species is determined to be present in work areas, the biologist with approval from CDFW may capture turtles prior to construction activities and relocate them to nearby, suitable habitat a minimum of 300 feet from the work area. Exclusion fencing should then be installed if feasible to prevent turtles from reentering the work area. Project construction shall be monitored by a qualified biologist where construction work is within or adjacent to occupied western pond turtle habitat.

Considering the above factors, with implementation of Mitigation Measures BIO-1, -2, and -3, the Project would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Therefore, the impact would be less than significant with mitigation. The changes proposed in the revised project plan relate to the 12 acre site located at 701 Willow Pass Road and would not change the conclusions related to the tie-line. Therefore the revised project would continue to have less than significant impacts with mitigation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☑	☐	☐	No

Less than Significant With Mitigation Incorporated: *Except for a portion of tie-line West Alignment, if used, the Project would be located on lands that are 100 percent disturbed and comprised primarily of non-native grassland and urban features without riparian or other sensitive habitat. The exception is the portion of the tie-line West Alignment that is north of Willow Pass Road (see Figure 5), which is low lying and includes wetland areas. Terrain in this area has been assessed from biology and wetland delineation reports covering portions of the West Alignment and nearby lands and from aerial imagery, with visual confirmation from public rights-of-way due to access limitations. The final design for the West Alignment, if used, including structure locations, pull-site locations, and access, would be developed with a wetland delineation report to delineate wetland presence, minimize impacts on wetlands to the extent practical for safe and efficient construction, and precisely calculate the area of disturbed wetland and riparian habitat. Based on preliminary engineering and evaluations, the Project Description estimates up to 0.38 acre of long-term wetland disturbance and an additional approximately 1.09 acres of short-term wetland disturbance for construction. The Applicant's Project Description commits to temporary tie-line construction disturbances being returned to approximate pre-construction conditions (See Section 3.5 in Appendix A). Direct disturbance to wetlands or riparian vegetation would be significant if not mitigated. Because estimated areas of wetland disturbance are based on preliminary engineering and evaluations, it is possible that marginally higher disturbance area could be found necessary once final designs and evaluations are completed. Mitigation Measure BIO-4 would limit impacts to wetlands and riparian vegetation to a less than significant level.*

Mitigation Measure BIO-4:
If the tie-line West Alignment is used, prior to issuance of grading or building permits for the tie-line, the Applicant shall provide a wetlands and jurisdictional waters survey report accompanying the final tie-line design to demonstrate that facilities and access are designed to minimize disturbance to waters and wetlands to the extent practical for safe and efficient construction, and to precisely calculate the area of disturbed wetland and riparian habitat. Reports provided by the Applicant shall be prepared by a qualified professional and shall delineate federal and state jurisdictional waters and wetlands, including verification by USACE for federal wetlands, if present. If disturbance to waters of the US and the state including wetlands cannot be avoided, then such disturbance shall not exceed 0.5 acre long term plus 1.3 acres of short term disturbance, and the Applicant shall obtain required authorizations from USACE and CDFW prior to construction. Disturbances to wetlands or riparian vegetation shall be mitigated at a ratio of no less than 3:1 for long term impacts.

With the 3:1 mitigation of long term impacts to wetlands or riparian vegetation pursuant to Mitigation Measure BIO-4, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
California Department of Fish and Wildlife or US Fish and Wildlife Service. Therefore, the impact would be less than significant with mitigation. As noted above the changes proposed by the revised project relate to the 12 acre parcel at 701 Willow Pass Road and would not affect the tie-line. Therefore the revised project would continue to have a less than significant impact with mitigation.					
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☑	☐	☐	No
Less than Significant With Mitigation Incorporated: *Except for a portion of tie-line West Alignment, if used, the Project would be located on lands that are 100 percent disturbed and comprised primarily of non-native grassland and urban features without wetlands or other sensitive habitat. The exception is the portion of the tie-line West Alignment that is north of Willow Pass Road, which is low lying and includes wetland areas. Terrain in this area has been assessed from biology and wetland delineation reports covering portions of the West Alignment and nearby lands and from aerial imagery, with visual confirmation from public rights-of-way due to access limitations. The final design for the West Alignment, if used, including structure locations, pull-site locations and access, would be developed with a wetland delineation report to confirm wetland presence, minimize impacts on wetlands to the extent practical for safe and efficient construction, and precisely calculate the area of disturbed wetland. The Project Description estimates up to 0.38 acre of long-term wetland disturbance and an additional approximately 1.09 acres of short-term wetland disturbance for construction. The Applicant's Project Description commits to temporary tie-line construction disturbances being returned to approximate pre-construction conditions (See Section 3.5 in Appendix A). Direct disturbance to wetlands would be significant if not mitigated. Because estimated areas of wetland disturbance are based on preliminary engineering and evaluations, it is possible that marginally higher disturbance area could be found necessary once final designs and evaluations are completed. Mitigation Measure BIO-4, if implemented, would limit impacts to wetlands vegetation to a less than significant level.* *With the 3:1 mitigation of long term impacts to wetlands pursuant to Mitigation Measure BIO-4, the Project would not have a substantial adverse effect on any* federally protected wetlands as defined by Section 404 of the Clean Water Act. Therefore, the impact would be less than significant with mitigation. *As noted above the changes proposed by the revised project relate to the 12 acre parcel at 701 Willow Pass Road and would not affect the tie-line. Therefore the revised project would continue to have a less than significant impact with mitigation.*					
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☑	☐	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Less Than Significant Impact: *The Project is an infill building project located in an urbanized area, with the exception of the tie-line West Alternative if used. No aspect of the Project would interfere with movement of native resident or migratory fish or wildlife species or with native or migratory wildlife corridors or impede the use of native wildlife nursery sites. The tie-line West Alternative is the only possible Project feature that could occur in an area potentially providing a wildlife migratory corridor or native wildlife nursery site. Construction of the tie-line West Alternative could disrupt wildlife migration due to noise and human presence but such disruption would be short-term in any given area and not expected to substantially interfere with wildlife movement. Preconstruction nesting bird surveys and avoidance of active nests are measures included in the Applicant's Project Description (see Section 3.4 in Appendix B) and would ensure that active nests are not adversely affected. The tie-line West Alternative, if used, would be collocated with an existing major high-voltage transmission corridor and would not have any material effect on wildlife movement compared to existing conditions.* *Considering these factors, the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The revised project would continue to have an impact that would be less than significant.*					
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☑	No
The Project does not propose removal of any tree protected by ordinance or policy. The Project would not conflict with any local policy or ordinance protecting biological resources.					
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☑	☐	☐	No
The Applicant has submitted an application for coverage under HCP/NCCP and proposes to comply with the HCP/NCCP for Project features within the HCP/NCCP area including mitigation fees for non-native grassland, and pre-construction surveys for burrowing owl, Swainson's hawk, Golden Eagle and other nesting birds (See Section 3.4 in Appendix A). Mitigation Measure BIO-5 would ensure that mitigation fees are paid consistent with HCP/NCCP requirements. ***Mitigation Measure BIO-5:*** *The Applicant shall pay HCP/NCCP mitigation fees consistent with HCP/NCCP requirements. If development is phased, such fees shall be paid prior to issuance of a grading permit for acreage to be disturbed in such phase.* *The revised project would continue to have an impact that is less than significant with mitigation.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
V. CULTURAL RESOURCES -- Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?	☐	☑	☐	☐	No

Less than Significant Impact With Mitigation Incorporated: *A cultural resource records search was conducted through the CHRIS Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition, there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known historic sites within the proposed Project Site or electric tie-line routes. The Project Site is currently vacant with no structures and the majority of the Site is covered by several feet or more of fill dirt. Review of historic aerial photographs from Google Earth imagery shows that the Site was undeveloped prior to placement of fill. Therefore, no historical resources are known to be present and the presence of potential unknown resources is unlikely. Considering these factors, Site development would not change the significance of any historical resource. The electric tie-line routes each are located within and adjacent to an existing power plant site and oil tank farm site and an existing high voltage transmission corridor. The tie-line alignments were not surveyed for potential historic resources for this analysis. However, by its nature, the overhead electric tie line would result in little ground disturbance and, if historic structures or resources were to be present, pole locations could be adjusted to avoid such resources. Furthermore, given the existing industrial setting of the tie-line corridor, if historic structures or resources were to be present on or adjacent to the tie-line corridor, the presence of the tie-line would not result in a substantial adverse change in their significance. Considering these factors, Mitigation Measure CUL-1, if adopted, would ensure that the electric tie-line would not cause a substantial adverse change in the significance of any historical resource.*

Mitigation Measure CUL-1: *Prior to issuance of a grading permit, the Applicant shall provide the City with a historical resources survey report prepared by a professional meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR 61) for the electric tie-line easement. If the survey identifies potentially significant cultural resources within the electric tie-line easement, then a tie-line design shall be provided to the City for approval prior to issuance of a grading permit that demonstrates either: (1) no significant resource would be disturbed by tie-line construction; or (2) any significant resource that cannot be practically avoided would be mitigated through photo-documentation and archival research by a qualified historic archaeologist or architectural historian.*

As noted above the changes proposed by the revised project relate to the 12 acre parcel at 701 Willow Pass Road and would not affect the tie-line. Therefore the revised project would continue to have a less than significant impact with mitigation

b) Cause a substantial adverse change in the significance of an	☐	☑	☐	☐	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
archaeological resource pursuant to section 15064.5?					

Less than Significant Impact With Mitigation Incorporated: *A cultural resource records search was conducted through the California Historical Resources Information System (CHRIS) Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition, there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known archaeological sites within the proposed Project Site or electric tie-line route and that there are no known prehistoric archaeological sites within a one-half mile radius of the Project. A search of the Native American Heritage Commission (NAHC) Sacred Lands File failed to indicate the presence of Native American cultural resources in the Project area. Considering the results of the records search, previous surveys of portions of the Project Area, and NAHC response, there are no known archaeological resources on the Project Site or the potential electric tie-line alignments. The Site is currently vacant with no structures and most of the Site is covered by several feet or more of fill dirt. The West, Middle and East tie-line alignments have been graded by past development including that associated with the existing tank farms, a rail spur, access roads, the existing PG&E switchyard that the tie-line would extend to, and Willow Pass Road that the tie-line would cross. Considering the high degree of disturbance and grading that has occurred at these locations, the ground has been modified such that little or no evidence of preindustrial human cultural activities and/or occupation is likely to remain. Therefore, a ground survey was not conducted for this analysis and would be unlikely to be of any value. Based on aerial imagery analysis, disturbances for the West Alignment if used, could have some areas with more limited disturbance. Mitigation Measure CUL-2, if adopted, would ensure impacts are mitigated to a less than significant level in the event that unknown cultural resources are encountered during construction. Section XVIII of this Initial Study further discusses potential Native American Cultural Resources and the City's outreach to Tribes for input to the environmental review process.*

Mitigation Measure CUL-2: *Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be trained and instructed by a representative of the Applicant or its contractor to be observant for the potential occurrence of archaeological resources in the geologic materials encountered, and shall be instructed and authorized to halt excavation in the area immediately and notify the Project Applicant's representative if such resources are discovered. In the event of a discovery, the Applicant or Applicant's representative shall promptly notify the City and work in the area shall cease until the discovery is evaluated by a qualified cultural resource specialist. If evaluation by a qualified cultural resource specialist indicates that the discovery may be significant, then excavation in the area shall be continued only as directed by a qualified cultural resource specialist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project, including development of a Research Design and Data Recovery Program if needed to mitigate impacts. If cultural artifacts are collected they shall be cataloged and curated with an appropriate institution. A final monitoring report shall be prepared and submitted to the City if significant cultural resources are discovered.*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
The revised project would continue to have a less than significant impact with mitigation					
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☑	☐	☐	No

Less than Significant Impact With Mitigation Incorporated: *The Project area is relatively flat terrain with no unique geologic features. The native geological materials beneath the Site are mapped as late Pleistocene alluvium (Helley and Lajoie, 1979). These deposits are about 11,500 years old and older and contain late Pleistocene vertebrate and invertebrate fossil faunas. This geologic unit is widespread at low elevations in the San Francisco Bay region and in places can contain localized accumulations of freshwater gastropod (snail) and pelecypods (bivalve mollusc) fossils, and terrestrial vertebrate fossils including camel, bison, horse, sloth and mammoth. While fossils of this age could potentially occur in the native geologic unit that underlies the Site and could potentially be important for their uniqueness and scientific value, it is unlikely that any such fossils would be disturbed by the Project because the Site is almost entirely covered with several feet or more of fill dirt. Construction of Site facilities would include grading, over-excavation and trenching primarily within fill and not substantially penetrate the native geologic material underlying the fill. If excavations do penetrate the natural geologic materials beneath the Site, Mitigation Measure CUL-3, would ensure that unique or scientific values of important fossils are recovered, limiting the potential for impact to a less than significant level.*

The electric tie-line routes occur on engineered soils and lands mapped as Holocene bay mud deposits (Helley and Lajoie, 1979). The oldest deposits of this unit have been dated at about 9,600 years. These materials are known to include locations with fossils of fresh and brackish water gastropods and pelecypods, including molluscian species introduced by humans since the 1800s. These materials are too geologically young to contain unique or important fossils. Therefore, the tie-line would not have the potential to destroy unique paleontological resource.

Mitigation Measure CUL-3: *Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be trained and instructed by a representative of the Applicant or its contractor to be observant for the potential occurrence of paleontological resources when excavating on the Site beneath the depth of existing fill, and shall be instructed and authorized to halt excavation in the area immediately and notify the Project Applicant's representative if vertebrate fossils are discovered. In the event of a discovery, the Applicant or Applicant's representative shall promptly notify the City and work in the area shall cease until the discovery is evaluated by a qualified paleontologist. If evaluation by a qualified paleontologist indicates that the discovery may be significant, then excavation in the area shall be continued only as directed by a qualified paleontologist and in a manner allowing for collection of significant resources and information that may otherwise be affected by the Project. If significant fossils are collected they shall be cataloged and curated with an appropriate institution. A final monitoring report shall be prepared and submitted to the City if significant fossils are discovered.*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☑	☐	☐	No
Less than Significant Impact With Mitigation Incorporated: *A cultural resource records search was conducted through the CHRIS Northwest Information Center and did not indicate any known burials within one-half mile of the Project area. A search of the NAHC Sacred Lands File failed to indicate the presence of Native American sacred lands in the area. The Site and most of the tie-line alignments are 100 % disturbed and the Site is almost entirely covered with several feet or more of fill dirt. Given that there are no records of Native American sacred lands in the area, no evidence of human remains at the Site, and the area is so heavily disturbed, no impact to human remains is anticipated. Mitigation Measure CUL-4 would ensure that impacts are mitigated to a less than significant level in the event that human remains are encountered unexpectedly during construction.* ***Mitigation Measure CUL-4:*** *Construction shift foremen, excavation equipment operators and other construction workers shall be trained and instructed by a representative of the Applicant or its contractor to halt work immediately if human remains are observed in the geologic materials encountered. In the event of a discovery, the County coroner shall be notified immediately and work in the area shall cease until the discovery is evaluated and removed in accordance with applicable laws and requirements.* *The revised project would continue to have a less than significant impact with mitigation.*					
VI. GEOLOGY AND SOILS -- Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☑	No
No Impact: *The Project location does not occur in any Alquist-Priolo earthquake fault zone nor does it occur on or cross any known active fault (California Department of Conservation, 2017). Therefore, the Project would have no impact associated with fault rupture. The closest active fault is the Clayton segment of the Clayton-Marsh Creek-Greenville Fault, located approximately four miles southwest of the Site (Jennings and Bryant, 2010). The revised project would continue to have no significant impact.*					
ii) Strong seismic ground shaking?	☐	☐	☑	☐	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Less than Significant Impact: *The Coast Ranges mountains that occur southwest of the Site are dissected by a number of regional fault zones associated with the overall San Andreas fault system demarking the intersection of the North American and Pacific tectonic plates. As described in Response (a)(i) above, the closest active fault is the Clayton segment of Clayton-Marsh Creek-Greenville Fault, located approximately four miles southwest of the Site. Other major faults in the region include the Green Valley/Concord Fault (approximately eight miles west), Calaveras Fault (approximately15 miles west), Rogers Creek Fault Zone (approximately 25 miles west), Hayward Fault Zone (approximately 20 miles southwest), and the San Andreas Fault Zone (approximately 40 miles southwest) (Jennings and Bryant, 2010). Deeply buried low angle thrust faults such as the Mount Diablo Thrust Fault also can cause earthquakes in the region. Strong ground motions could occur in the vicinity of the proposed Project from an earthquake on any of these or other regional faults. Strong seismic ground shaking would be a potentially substantial seismic hazard if structures are not appropriately designed. The potential for seismic ground motions to damage structures is typically mitigated through proper design and construction to withstand predicted ground motions. The California Building Code seismic standards are designed to mitigate the potential for people or structures to be exposed to substantial risks from seismically-induced ground motions. Conformance with this code would be assured through the Building Permit process of the City of Pittsburg. Adherence to California Building Code requirements would limit the risk of damage or injury from seismic ground shaking to level that is less than significant. The revised project would continue to have a less than significant impact.*					
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐	No
Less than Significant Impact: *Liquefaction can occur when there is a loss of shear strength in saturated granular soils cause by seismically-induced pore water pressures. The loss of shear strength in soils can reduce the ability of the soil to support overlying loads, such as equipment foundations. If liquefaction occurs, the surface structures may settle into the ground or tilt. The liquefaction potential of a site is dependent on characteristics of ground shaking, soil type, soil density, and depth-to- groundwater. The Site is situated in the lowland zone of Pittsburg where shallow geology consists of geologically young unconsolidated sediments and groundwater is relatively shallow. Portions off the potential electric tie-line routes are located within the High Liquefaction Potential hazard area identified in the General Plan. The Site is located outside of the High Liquefaction Potential hazard area identified in the General Plan. The High Liquefaction Potential hazard area identified in the General Plan is based on a regional study performed by the Bay Area Association of Governments published in 1980. A more recent preliminary regional study by the U.S. Geological Survey has identified the potential for liquefaction in the Project area to be high to very high (Knudsen, et al., 2000). This regional study is not based on site-specific information. California Building Code Section 1803.2 would require that a geotechnical investigation be prepared and provided to the City Engineering Division for the proposed Project that would be required to address the potential for liquefaction and identify measures such as appropriate foundation design, structural systems and ground stabilization measures to limit potential liquefaction impacts on Project structures. The California Building Code would require that recommendations of the geotechnical report be incorporated into the final Project design to limit potential liquefaction impacts. The California Building Code is written and administered to preserve and protect public health and safety consistent with State and nationally recognized standards (24 CCR 18941). Compliance with these established requirements would limit the potential for impact to a less than significant level.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
The Project does not propose any structure for human occupancy. Therefore, there would not be a significant risk to people in the event of seismically induced liquefaction. Considering that the proposed facilities would typically be unattended and include no occupied structures, and considering that Project structures would be designed in accordance with recommendations of a geotechnical investigation to limit impacts of liquefaction, the risk of liquefaction to expose people or structures to substantial adverse effects does not pose a significant risk to human health or the environment. Therefore, the risk of liquefaction exposing people or structures to potential substantial adverse effects is less than significant. The revised project would continue to have a less than significant impact.					
iv) Landslides?	☐	☐	☐	☑	No
No Impact: *The Project area is nearly flat-lying. There are no substantial slopes in the Project area that could result in a landslide hazard The revised project would continue to have no impact..*					
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☑	☐	No
Less Than Significant Impact: *The Project Site and most of the tie-line potential alignments have been previously graded and covered with fill. In addition, the Project area is nearly flat-lying limiting the potential for soil erosion. Construction would occur under the State General Permit with a SWPPP implementing BMPs for erosion control. The General Permit would require that a construction SWPPP be prepared by a Qualified SWPPP Developer and implemented by a Qualified SWPPP Practitioner (QSP). Standard BMPs from the California Stormwater Quality Association (CASQA, 2015) or their equivalents would be required such as scheduling to minimize the term of disturbances (Standard BMP EC-1), Preservation of Existing Vegetation (Standard BMP EC-2), stabilization of disturbed surfaces (Standard BMPs EC-3 through -7), and use of silt fences (Standard BMP SE-1). The SWPPP would be required to address erosion control until it is demonstrated to the Regional Water Quality Control Board that disturbed surfaces are stabilized and a Notice of Termination is accepted. With construction occurring in compliance with the State General Permit, the proposed Project would not result in substantial soil erosion. Considering that the Site is disturbed and covered with fill and that erosion would be controlled in accordance with requirements of the State General Permit, the proposed Project would not result in substantial erosion or loss of topsoil. Therefore, erosion and loss of topsoil impacts would be less than significant. The revised project would continue to have a less than significant impact.*					
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☑	☐	No
Less than Significant Impact: *The potential for liquefaction is addressed in Response (a)(iii), above. The proposed Project would not affect or be affected by any other aspect of geologic unit instability including the potential for landslides, lateral spreading, subsidence or collapse. The Project area is relatively flat and proposed grading would not result in any substantial slopes (refer to Conceptual*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Grading Plan in Sheet C-1 of Attachment 2). Therefore, the Project does not have the potential to result in landslides. Lateral spreading is a phenomenon that can occur from seismic shaking or other lateral loading when the ground surface is not laterally supported on one or more sides, for example, on ridge tops or near edges of terraces or cliff faces. The Project area does not have slopes or other laterally unsupported conditions susceptible to lateral spreading. Soil collapse occurs when loosely compacted soils are disturbed by seismic shaking, rewetting, or other activities. California Building Code Section 1803.2 would require that a geotechnical investigation be prepared and provided to the City Engineering Division for the proposed Project that would be required to address potential geologic hazards, including potential for soil collapse, and identify measures such as appropriate foundation design, structural systems and ground stabilization measures to limit potential for impacts on Project structures. The California Building Code would require that recommendations of the geotechnical report be incorporated into the final Project design to limit potential liquefaction impacts. Implementation of recommendations from the geotechnical report for potential soil collapse, if needed, are required to be implemented into the Project final design. Subsidence can occur when pore pressures are reduced in unconsolidated geologic materials below a valley floor due to substantial fluid withdrawal. The Project does not involve substantial extraction of fluids from unconsolidated geologic deposits. Therefore, the Project does not have potential to create subsidence. Considering these factors, and excepting the potential for liquefaction as described in Response (a)(iii), above, the Project would not be located on an unstable geologic unit or cause a unit to become unstable. Therefore, the impact would be less than significant. The revised project would continue to have a less than significant impact.					
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☑	☐	No
Less than Significant Impact: *Soils in the Project area include Capay Clay (CaA), Clear Lake Clay (Cc) Omni silty Clay (Ob), Sycamore silty clay loam (So), and Joice muck (Ja)(U.S. Department of Agriculture, 2017). Based on average characteristics published by U.S. Department of Agriculture, some of these soils including Omni silty clay and Clear Lake clay may have expansive properties. California Building Code Section 1803.2 would require that a geotechnical investigation be prepared and provided to the City Engineering Division for the proposed Project that would be required to address potential geologic hazards, including potential expansive soil characteristics, and identify measures to limit potential for impacts on Project structures. The California Building Code would require that recommendations of the geotechnical report be incorporated into the final Project design. Implementation of recommendations from the geotechnical report in accordance with the California Building Code would effectively limit impacts of expansive soils to a level that would not pose a substantial hazard. Therefore, considering California Building Code requirements, the potential for adverse impacts from expansive soils is less then significant. The revised project would continue to have a less than significant impact.*					
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
water?					
No Impact: *The Project does not propose use of a septic tank or other wastewater disposal. The revised project would continue to have no impact.*					
VII. GREENHOUSE GAS EMISSIONS -- Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☑	☐	No
Less than Significant Impact: *The proposed project would not generate GhG emissions, with the primary exception being CO2 that would be generated from vehicle and equipment emissions for construction and maintenance activities. Once constructed, the Project would provide a new and reliable means of capturing and managing energy from renewable energy projects such as solar generation and wind generation projects increasing the effectiveness of renewable energy technologies, thereby reducing the dependency on fossil fuel-produced electric energy, providing a long-term GhG benefit. Considering that construction emissions would be short-term and that the proposed Project would operate as an unoccupied facility with only occasional maintenance vehicle trips, GhG emissions would be less than significant both individually and cumulatively. The revised project would continue to have less than significant greenhouse gas emissions.*					
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☑	No
Less than Significant Impact: *The proposed project would not conflict with any applicable plan, policy, or regulation adopted to reduce GHG emissions. Once constructed, the Project would operate without GhG emissions with the exception of minor emissions from occasional maintenance vehicle trips. The Project could be used to store energy from renewable energy projects such as solar generation and wind generation projects, reducing the dependency on fossil fuel-produced electric energy and supporting the achievement of local, state and federal renewable energy goals directed at GhG reduction. The availability of the Project for this use may provide a long-term GhG benefit. The revised project would continue to potentially provide a long-term GhG benefit. The revised project would be consistent with this conclusion.*					
VIII. HAZARDS AND HAZARDOUS MATERIALS -- Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☑	☐	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Less than Significant Impact: *Construction would require the short-term transport, use and/or disposal of hazardous materials such as fuels, lubricants, adhesives, solvents and paints. Storage and use of hazardous materials onsite during construction could create a significant hazard to construction workers, the public or the environment if such materials are not properly contained. Construction would be required to occur under a comprehensive hazard communication program in accordance with 29 CFR 1910 to ensure that construction workers are knowledgeable in the identification and proper handling of hazardous materials to prevent unsafe exposure and to avoid spills. Stormwater BMPs would be required under the State General Permit to prevent contact of hazardous materials with stormwater. Furthermore, the Site would not be open to the public. With these measures, the routine use of hazardous materials for construction would not create a significant hazard to the public or the environment.* *Deliveries of bulk fuels, lubricants, batteries, and other hazardous materials to the Site would be subject to Department of Transportation (DOT) regulations at 49 CFR 172 and 173 for hazardous materials transport. These regulations include requirements for hazardous material transport licensing, packaging and containment standards, labeling, and other protection measures to prevent hazardous materials incidents during transport and to facilitate response in the event of a hazardous material accident. Hazardous wastes produced would be minimal and would be required to be transported away from the Site in accordance with these same DOT regulations as well as being managed at all times under requirements of California Code of Regulations Title 22 Division 4.5 for worker training, and storage, shipping and disposal of hazardous waste. With these existing regulations in place, and considering the short term of construction activities, the transport, production, and disposal of hazardous materials associated with facility construction would not create a significant hazard to the public or the environment.* *Operation of the proposed Project would not typically involve handling of hazardous materials. At the end of battery life, battery modules would be removed from the battery racks and returned to the manufacturer or their approved and permitted recycling partner(s) for dismantling, material processing and recovery. Oil that would be present in oil-filled transformers is not routinely handled. The transformers are operated normally closed and sealed. On infrequent occasions, oil in oil-filled transformers may require filtering or replacement if it becomes contaminated. If transformer oil needs to be replaced, the used oil would be recycled at a licensed offsite recycler. Management and transport of replacement batteries and oil, used batteries, and used oil would be subject to the same management and transportation regulations and requirements as described for construction above for safe handling, transport and recycling. With these existing regulations in place, the transport, production, and disposal of hazardous materials associated with facility operations would not create a significant hazard to the public or the environment.* *The revised project would continue to have a less than significant impact.*					
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☑	☐	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Less than Significant Impact: *Construction would require the short-term use and transport of hazardous materials as described in Response (a), above. Construction would be required to occur under a comprehensive hazard communication program in accordance with 29 CFR 1910 to ensure that construction workers are knowledgeable in the identification and proper handling of hazardous materials to avoid spills or other upset conditions that could otherwise result in unsafe exposure. The general public would be excluded from the construction Site. Transport of bulk fuels, lubricants, batteries, and other hazardous materials to the Site would be subject to Department of Transportation (DOT) regulations at 49 CFR 172 and 173 including requirements for hazardous material transport licensing, packaging and containment standards, labeling, and other protection measures to prevent hazardous materials incidents during transport and to facilitate response in the event of a hazardous material accident. Considering these factors, construction would not create a significant hazard to the public or the environment due to reasonably foreseeable upset or accident conditions.* *Operation of the proposed Project would be subject to 19 CCR Division 2, Chapter 4 requirements to submit and maintain a Hazardous Materials Business Plan and would be subject to periodic inspections by the Certified Unified Program Agency (Contra Costa County Fire Prevention District) for safe operations related to hazardous materials. These regulations require reporting of hazardous materials present in quantities exceeding threshold quantities, worker training, emergency planning preparations to minimize potential hazards of a hazardous material upset, and immediate reporting to 911 and the California Office of Emergency Services of any release or threatened release of hazardous materials that presents a significant present or potential hazard to human health and safety, property or the environment. Oil-filled electrical equipment would be subject to 40 CFR 112 regulations that include comprehensive requirements for preventing releases of oil and for oil spill response preparedness. These regulations include safety measures such as secondary containment for oil-filled equipment, requirements for routine inspections and proper equipment maintenance, personnel training to prevent discharges, site security, oil transfer safety precautions, and oil spill response planning. Batteries would contain integrated safety systems to actively monitor electrical current, voltage and temperature to optimize performance, mitigate potential failures, and prevent upset. Batteries performing out of specification would be immediately taken off line by the automated monitoring system. The facility would be designed and constructed to comply with applicable building, electrical and fire codes. Battery buildings would be outfitted with fire suppression equipment to meet or exceed fire safety codes and standards. As described in the Applicant's Project Description (See Section 3.2 in Appendix A), Fire protection would include prevention, suppression, and isolation methods and materials including: smoke/fire detection sensors; ground fault detection, alarms, and systems for automatic shutdown of cooling fans and opening of electrical contacts in the battery system; and systems for automatic activation of fire suppression systems. Operation of the facility would be remotely monitored on a continuous basis. In addition, the facility would be routinely visited to perform visual inspections. Security would be provided including perimeter fencing and remote video monitoring with pan, tilt and zoom capabilities. These design measures are included to minimize the potential for upset and to immediately respond in the event of an unforeseen upset. Considering these safety systems incorporated into the Project design, and existing regulatory requirements and standards applicable to the Project that are designed to minimize hazardous material upset risks to human health and the environment, the risk of a reasonably foreseeable upset or accident scenario creating a hazard to the public or the environment during operations is less than significant. The revised project would continue to have a less than significant impact.*				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☑	☐	No
Less than Significant Impact: *There are no existing or proposed schools located within one-quarter mile of the Site. The closest school is the Parkside Elementary School located approximately 0.4 mile south of the Site. The East Alignment passes within 0.1 mile of St Peter Martyr School but there would be no emissions from the project other than de minimis short-term emissions from construction and maintenance that would be less than significant. The revised project would continue to have a less than significant impact.*					
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☑	☐	No
Less than Significant Impact: *The 35-acre parcel on which the Site occurs is included in both the Regional Water Quality Control Board's (RWQCB's) GeoTracker online database (Case No. T0601300095) and the Department of Toxic Substances Control (DTSC) Envirostor online database (Case no. 07260001), which both stem from Government Code Section 65962.5. The GeoTracker shows the RWQCB case being closed in October 1997. The Environstor case is open. The parcel is listed due to a past release of trichloroethylene (TCE) solvent, a volatile organic compound, in a portion of the parcel located south of the Site. Approximately 40 tons of impacted soil was excavated and removed from the parcel in 2002 under the direction of DTSC. Confirmation soil samples collected after soil removal indicate that soil was removed to the DTSC-approved site-specific removal action goal of 1.7 milligrams per kilogram. Groundwater beneath the Site has been impacted by TCE and its breakdown products as a result of the past release of TCE. Groundwater monitoring is ongoing and the parcel is subject to a land use covenant (Covenant) to restrict use of the property due to the presence of volatile organic compounds in the groundwater under portions of the property, including portions of the Site (DOC-2007-0217233-00). Ongoing groundwater remedial action includes continued monitoring of the natural attenuation process through biennial sampling of an existing groundwater monitoring well network. The possible volatilization and upward movement of volatile organic compounds from groundwater into existing or future buildings is identified in the Covenant as a potential human exposure pathway but for a commercial land use scenario has been determined to have an estimated total excess lifetime cancer risk of less than DTSC's significance threshold of 1 x 10^{-6}. At the time the Covenant was prepared in 2007 the TCE concentration in groundwater was determined to be up to 2.8 milligrams per liter (mg/L). The most recent groundwater monitoring data reviewed for the Site (June 2013) indicates a maximum TCE concentration of 1.7 mg/Kg beneath the Site and a depth to groundwater beneath the Site ranging from approximately 9 to 19 feet below the ground surface. The Covenant prohibits use of the property for any of the following: a residence for human habitation; a hospital for humans; a school for persons under 21 years of age; or a day care center for children. Furthermore, the Covenant prohibits any of the following on the property: raising of food including cattle and food crops; drilling for drinking water without permission from DTSC; extraction of*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
groundwater for purposes other than site remediation or construction dewatering. The proposed use of the Site is consistent with the Covenant and would not create a significant hazard to the public or the environment. Groundwater is not expected to be encountered by construction excavations. Existing monitoring wells onsite would be preserved in place and access would be provided for continued monitoring unless removal of the wells or other arrangements are approved in writing by DTSC in accordance with requirements of the Covenant. Considering these factors, the impact would be less than significant. The revised project would continue to have a less than significant impact.					
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑	No
No Impact: *The Project area is not within an airport land use plan or within two miles of a public or public use airport. The closest airport is in Concord more than seven miles to the southwest. The revised project would continue to have no impact.*					
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☑	No
No Impact: *There is no private airstrip in the vicinity of the Project area. The closest airport is in Concord more than seven miles to the southwest. The revised project would continue to have no impact.*					
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☑	☐	No
Less than Significant Impact: *The proposed Project would not alter any existing public or private through-way. A short term lane closure may be needed to install a water line across Willow Pass Road. If the water line installation is needed, work in the ROW would be under an Encroachment Permit requiring traffic control plan for any lane closures. Because road closure is not anticipated and traffic controls would be implemented, the short potential lane closure would not impair emergency response or otherwise affect any adopted emergency response plan or emergency evacuation plan. The revised project would continue to have a less than significant impact.*					
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
No Impact: *The proposed Project area is within urbanized lands in the City, and nearby lands are identified by Cal Fire (2017) as a non-Very High Fire Hazard Severity Zone (non-VHHSZ). Pursuant to California Fire Code Section 304.1.2, the Applicant would be required to maintain the Site free of vegetation capable of being ignited or endangering property. In addition, the facility would be designed for fire prevention and provided with a fire water supply as described in the Applicant's Project Description (see Section 3.2 in Appendix A). Considering these factors, the risk of wildland fire from the Project would be less than significant. The revised project would continue to have no impact.*					
IX. HYDROLOGY AND WATER QUALITY -- Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☑	No
No Impact: *Construction would occur under the State General Permit with a SWPPP implementing BMPs for protection of water quality. The State General Permit would require that a construction SWPPP be prepared by a Qualified SWPPP Developer and implemented by a Qualified SWPPP Practitioner (QSP). Standard BMPs from the California Stormwater Quality Association (CASQA, 2015) or their equivalents would be required for sediment and other potential pollutants. Under the State General Permit, the SWPPP would need to address water quality BMPs and the permit would require that those BMPs be implemented until it is demonstrated to the Regional Water Quality Control Board that disturbed surfaces are stabilized and a Notice of Termination is accepted. The General Permit requires construction discharges to not violate water quality standards. With adherence to the State General permit and BMPs, no violation of any water quality standard or waste discharge requirement would be expected.* *Discharges from the Project during operations would be required to comply with NPDES Permit CAS612008 (RWQCB, 2015). In conjunction with consideration of the Conditional Use Permit and Design Review, the City would require that the Project include all measures needed to comply with NPDES Permit CAS612008. This permit would require that there is no discharge from the Project other than stormwater and exempted non-stormwater discharges such as air conditioning condensate that do not contain pollutants. Consistent with Low Impact Development standards, the Project design (refer to the Preliminary Design Drawings in Attachment 2) minimizes impermeable surfaces by gravel surfacing of roads and other areas not covered by buildings or equipment foundations. The design incorporates a system of onsite bioretention swales to provide water quality treatment to meet the City's municipal stormwater discharge requirements under NPDES Permit CAS612008. Project facilities would be unattended except for periodic inspections or maintenance and would be secured to preclude public access so there typically would be no generation of trash or debris that could impact stormwater runoff. Other project design features to minimize impacts on water quality consistent with NPDES Permit CAA612008 requirements include:* • *No outdoor storage or work areas are proposed;* • *No outdoor trash collection areas are proposed;* • *No floor drains or interior or exterior wash-down areas are proposed;*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
• *No repair/maintenance bays or fueling areas are proposed;* • *Landscaping irrigation would be designed for efficiency and to promote infiltration and minimize runoff;* • *Landscaping maintenance would minimize use of pesticides and fertilizers;* • *Site storm drain inlets would be stenciled;* • *Avoidance of disturbance to natural water bodies and drainage systems; and* • *Ongoing maintenance of water quality controls and periodic inspections to ensure proper performance.* *The City has an inspection and enforcement program to ensure compliance with requirements of NPDES Permit CAA612008 and would require the Applicant to allow inspections by trained City staff.* *Considering existing requirements of the State General Permit for construction and NPDES Permit CAA612008, BMP's and other measures incorporated in the Project design, and inspection and enforcement measures available to the City, it is not expected that the Project would violate any water quality standards or waste discharge requirements. Therefore, there is no foreseeable impact. The revised project would continue to have no foreseeable impact.*					
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☑	☐	No
Less than Significant Impact: *Operation of the Project would not typically use water. The Site would be unoccupied. Project construction would require water for dust control and compaction. Water would be supplied from the City water supply. This use would be short-term and would not represent a significant water demand that could substantially deplete groundwater supplies. The Project is designed consistent with Low Impact Development standard such as minimizing impermeable surfaces, and use of gravel surfacing and landscaping where possible instead of hardscape surfaces. Impermeable surfaces are broken into individual areas that would drain through gravel that would help maximize infiltration and to disburse flows, and through bioretention swales that would further slow runoff and facilitate infiltration. No material impact on recharge would be expected.The revised project would be consistent with this conclusion.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☑	☐	No
Less than Significant Impact: *The Project is designed consistent with Low Impact Development standard such as minimizing impermeable surfaces, and use of gravel surfacing and landscaping where possible instead of hardscape surfaces. Impermeable surfaces are broken into individual areas that would drain through gravel that would help maximize infiltration and to disburse flows, and through bioretention swales that would further slow runoff and facilitate infiltration. The revised project will continue to have no impact.*					
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☑	☐	No
Less than Significant Impact: *The Project is designed consistent with Low Impact Development standard such as minimizing impermeable surfaces, and use of gravel surfacing and landscaping where possible instead of hardscape surfaces. Impermeable surfaces are broken into individual areas that would drain through gravel that would help maximize infiltration and to disburse flows, and through bioretention swales that would further slow runoff and facilitate infiltration. The project drainage is designed to drain to bioretention swales overflowing to the existing City stormwater network that currently receive runoff from the Site area. The Site would drain toward the northeast through an existing culvert under Willow Pass Road to a City pump station that discharges to a tidally influenced area. The revised project will continue to have a less than significant impact.*					
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐	No
Less than Significant Impact: *The project drainage is designed to maximize infiltration and slow runoff and to drain to the same City stormwater system as current conditions. The Project would be subject to NPDES General Permit conditions including implementation of a SWPPP and BMPs for water quality during construction. The General Permit conditions and limitations are designed to be protective to water quality. Following the General Permit requirements, Project construction would not provide a substantial additional source of polluted runoff. Operations would not result in any substantial sources of polluted runoff due to the enclosure of equipment and facilities. Considering the enclosed nature of Project facilities and other Project factors, and the bioretention swales and other*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Project design features in accordance with the Stormwater C.3 Compliance Guidebook, operations would not result in a substantial additional source of polluted runoff. Based on these factors, the impact would be less than significant. The revised project will continue to have a less than significant impact.					
f) Otherwise substantially degrade water quality?	☐	☐	☑	☐	No
Less than Significant Impact: *The potential to degrade water quality is addressed in Responses 9a, above. As described in that response, the proposed Project would be required to comply with the State General Permit for construction and NPDES Permit CAA612008 during operations, including implementation of BMPs and other design measures to prevent violation of any water quality standard. With BMPs and Project design measures to prevent violation of water quality standards, impacts to water quality would be less than significant. The revised project will continue to have a less than significant impact.*					
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☑	No
No Impact: *The proposed Project does not involve placement of housing. Therefore, no impact would occur. The revised project will continue to have no significant impact.*					
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☑	☐	No
Less Than Significant Impact: *The 100 year flood zone marginally infringes on the west, north and east edges of the Site (FEMA, 2015). Structures on the Site would be outside of the 100 year flood zone boundaries. Structures for portions of the electric tie-line would be located within the 100-year flood zone (Zone AE). FEMA has mapped the base flood elevation as 11 feet above mean sea level as measured using the standard North American Vertical Datum of 1988 (NAVD 88). Considering the relatively flat terrain where the electric tie-line would be located, anticipated low flood velocities would be very low. The negligible cross-sectional area of the electric tie-line structures would not measurably impede, redirect, or otherwise modify flood flows or elevations. The revised project will continue to have a less than significant impact.*					
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☑	☐	No
No Impact: *Flooding is not a significant hazard for construction because the Site is almost exclusively outside of the mapped 100-year flood plain and because the short duration of construction results in a very low probability of flooding during construction (e.g., a one year construction schedule would have only a one percent chance of experiencing a 100-year flood). Furthermore, while the tie-line would traverse the 100-year flood plain, the relatively flat surrounding terrain would have low flood flow velocities that would provide warning of impending conditions in the unlikely event flooding were to*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
occur during the construction period. Normal flooding also is not a significant hazard for Project operations because Site structures would be located outside the 100-year flood zone and because the proposed facilities are not occupied. Considering these factors, the risk to people or structures from normal flooding would be less than significant. *The Project would not be reliant on any levee for protection from the 100-year flood. Therefore, the risk of flooding due to failure of a levee is less than significant.* *There are no large dams in the immediate vicinity. The Pittsburg General Plan does not include a map of dam inundation hazard areas. The Bay Area Association of Governments published dam inundation hazard map does not show the Project area to be within any dam inundation hazard zone (Bay Area Association of Governments, 2017). Considering this, structures at the Site would not be within the dam inundation hazard zone. Furthermore, the Project does not propose any structure for human occupancy. Considering these factors, the risk to people or structures from dam failure would be less than significant. The revised project will continue to have a less than significant impact.*					
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☑	☐	No
No Impact: *The majority of the Project Site including the areas where structures would be built ranges in elevation from approximately 14 to 20 feet above mean sea level (amsl). The Site is located approximately 0.7 mile south of the shoreline of the Sacramento/San Joaquin River delta. It is too high and far from the delta shoreline to be affected by seiche or tsunami. The electric tie-line would extend within approximately 0.25 mile from the shoreline and to near sea-level elevations. The delta water is relatively shallow making it incapable of generating a large seiche. Any foreseeable seiche would be low energy due to the relatively flat terrain and would be unlikely to approach the 100-year annual flood height that the structures would be designed for. Tsunami also is not a material risk. Modeling performed further to the west closer to San Francisco Bay shows that tsunami inundation at this distance from the ocean is not significant (CEMA et al., 2009; ABAG, 2017). For these reasons, seiche or tsunami are not a significant risk for the Project. The Project area is relatively flat and not in any concentrated drainage path from steep sloped areas where mudflows could originate. Therefore, the area not susceptible to mudflows. Based on mapping published by the Association of Bay Area Governments, the Project area is not within any mapped historic landslide, debris flow or earth flow (ABAG, 2017). Considering these factors, the proposed Project would not result in a significant risk due to sieche, tsunami or mudflow. The revised project will continue to have no significant impact.*					
X. LAND USE AND PLANNING - Would the project:					
a) Physically divide an established community?	☐	☐	☐	☑	No
No Impact: *The Project Site occurs on a portion of an existing privately owned parcel that does not provide any throughway or other public access way. The proposed Project would not result in any physical barrier or feature that could divide an established community. The revised project will continue to have no significant impact.*					
b) Conflict with any applicable land use plan, policy, or regulation of an	☐	☐	☑	☐	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?					

Less than Significant Impact: *The Project area and adjacent lands are in the City of Pittsburg jurisdiction. Existing uses surrounding the proposed Project include industrial and commercial developments to the north and south, a high voltage electric transmission line corridor to the west, and residential development to the east.*

The City of Pittsburg General Plan designates the Project Site as Business Commercial and the Site is zoned Industrial Park Limited Overlay (IP-O). The propose use fits under the zoning code use classification of "major utility" which is defined, in part, to include power generation plants, substations, or similar facilities. The proposed use would require a zoning text amendment to amend the IP-O (Industrial Park with a Limited Overlay, Ord. No. 07-1284) District, or the "Empire Business Park Overlay District" such that a "major utility" would be a permitted with a use permit. In addition to the zoning text amendment, the Applicant is applying for a conditional use permit, design review and development agreement. A minor subdivision (lot line adjustment or parcel map waiver), or filing of a final map following the current Tentative Parcel Map in Attachment 1, may also be pursued that would subdivide the 35 acre parcel.

The zoning text amendment would be consistent with the zoning code provided that the following findings can be made:

- *It is necessary because there are special or unique characteristics of the site or improvements that require land use and development regulations that cannot be adequately accommodated or controlled by the base zoning district;*
- *It conforms to the general plan; and*
- *It generally complies with the land use and development regulations of the base zoning district.*

The zoning text amendment is necessary because the proposed use does not fall within any of the uses contemplated in the zoning code, since the proposed utility scale application of this technology has only recently become feasible due to substantial developments in battery technology, progress in the availability of renewable energy to power the electric grid, and state mandates for energy storage. The proposed project and others like it are designed, in part, to support achievement of State and federal renewable energy goals by providing a means to store excess energy generated at times of the day when wind and solar energy are generated at peak levels. The proposed use would:

- *Provide a new economic and reliable means of capturing and managing renewable energy;*
- *Provide economic benefit to the City, the County, the region, and the State through construction jobs, property and sales taxes and increased energy efficiency and reliability;*
- *Help stabilize the electric grid and increase the effectiveness of both conventional and renewable energy projects;*
- *Support the achievement of local, State and federal renewable energy goals; and*

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact

- *Support the achievement of State goals for energy storage.*

The zoning text amendment would conform to the General Plan. The zoning text amendment would allow for the Project to be permitted consistent with design standards, and if approved the Project would be infill development within the City limits consistent with the General Plan guiding principles. The General Plan establishes that the Business Commercial designation is intended "to provide sites for administrative, financial, business, professional, medical, research and development, and public offices, as well as custom manufacturing, limited assembly, light manufacturing, warehousing and distribution, and support commercial uses." The Project would be consistent with a warehouse type use.

The purpose of the IP base zoning district is to provide sites in landscaped settings for service-oriented commercial and light industrial uses with limited customer presence and turnover, including industrial office centers, research and development facilities, limited industrial activities (including production and assembly but no raw materials processing or bulk handling), limited and warehouse type retail and commercial activities, and small scale warehouse distribution (Zoning Code Section 18.54.005). The proposed Project would be consistent with this purpose. The zoning text amendment would apply to the "Empire Business Park Overlay District" (Ord. No. 07-1284) and would require a use permit. Site Plan review that would be required for the Project would ensure that the project is compliant with the base zoning of Ord. No. 07-1284.

The West Alignment of the tie-line would be located on lands designated as Business Commercial and Industrial, and also would follow an existing high voltage transmission corridor through an area designated as Open Space. A short segment where the tie-line would cross an abandoned rail spur is designated Utility/ROW. The West Alignment is zoned Industrial Park Limited Overlay (IP-O), and Open Space, and General Industrial (IG). A short segment crossing the abandoned rail spur is zoned Governmental and Quasipublic (GQ).

The Middle Alignment of the tie-line would be located on lands designated as Industrial. A short segment where the tie-line would cross an abandoned rail spur is designated Utility/ROW. The Middle Alignment is zoned General Industrial (IG), except a short segment crossing the abandoned rail spur is zoned Governmental and Quasipublic (GQ).

The East Alignment of the tie-line would be located on lands designated as Industrial and Service Commercial Limited Overlay (CS-O), except a short segment crossing the abandoned rail spur is zoned Governmental and Quasipublic (GQ).

The electric tie-line fits under the zoning code use of "minor utility" which is defined, in part, to include utilities necessary to support legally established uses and involves only minor facilities or structures such as aboveground distribution or transmission lines. Minor utility use is an allowable use for each of the zoning designations that would be traversed by any of the three potential alignments (Zoning Code section 18.54.010). Therefore, the proposed electric tie-line would be consistent with existing land use zoning.

Pursuant to Pittsburg Municipal Code (PMC) Section 18.74.040, the development regulations applicable to the existing IP-O zoning district encompassing the Site would be adjusted to accommodate the Project as set forth in the Project Description, which shall be deemed to constitute an "overlay plan" as contemplated by PMC Section 18.74.030 and 18.74.050. The Project encompassed by this Initial Study includes the overlay zone text amendment specifying major utility as

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
an allowable use on the Project Site as described above, with Design Review, in the Empire Business Park Overlay District. Setback, lot coverage, landscaping and other requirements specified for this district would remain unchanged, and would accommodate the Project layout as designed. *With adoption of the proposed overlay zone text amendment, the Project would be consistent with the City zoning code. The Project site also is governed by a restrictive land use covenant (LUC) between UPI and DTSC. The proposed Project would be consistent with the LUC as previously described in Response 8.d of this Initial Study. The revised project will continue to have a less than significant impact.*					
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☑	No
***No Impact**: The Applicant proposes to comply with the East Contra Costa County HCP/NCCP requirements for areas of the Project in the HCP/NCCP area. Planning level surveys have been conducted and the Applicant has submitted an application to the City for coverage under the HCP/NCCP. No other HCP or NCCP is applicable to the Project area. Because the Applicant proposes to comply with the HCP/NCCP requirements, there would be no conflict. The revised project will continue to have no significant impact.*					
XI. MINERAL RESOURCES -- Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☑	No
***No Impact:** The proposed Project would be located in an area classified by the California Department of Conservation as Mineral Resource Zone (MRZ)-1. This designation means that the State has determined adequate information exists to indicate "that no significant mineral deposits are present" or to judge that "little likelihood exists for their presence" (California Department of Conservation, 1996). Therefore, the proposed Project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State. The revised project will continue to have no significant impact.*					
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☑	No
***No Impact:** No locally-important mineral resource is known to occur in the Project area or delineated to occur in the City's General Plan. Therefore, no impact would occur. The revised project will continue to have no significant impact.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
XII. NOISE - Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☑	☐	☐	No

Less Than Significant Impact With Mitigation Incorporated: *According to the City of Pittsburg General Plan Noise Element, substantial existing noise sources in the Project area include trains and street traffic. The General Plan identifies Willow Pass Road as a substantial noise source in the area, with buildout traffic projected to result in noise at up to 79 dB 100 feet from the road, which includes the north edge of the Project Site.*

The City's Noise Ordinance (Section 9.44.010) does not establish numerical noise level limits related to fixed noise sources or construction noise but makes it unlawful for any person to make, continue or cause to be made, or continue any noise which either unreasonably annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the City. The City's Building and Construction Ordinance (Section 15.88.060.A.5) prohibits grading noise, including warming up equipment motors, within 1,000 feet of a residence between the hours of 5:30 p.m and 7 am weekdays, unless otherwise approved by the City Engineer. Relevant General Plan Goals limiting noise for land use compatibility include:

- *Policy 12-P-1 establishes that the maximum exterior noise level considered to be "normally acceptable" for the business commercial land use category is 70 dB.*
- *Policy 12-P-9 establishes that generation of loud noises on construction sites adjacent to existing development should be limited to normal business hours between 8 am and 5 pm.*

Construction would generate noise on the Site consistent with typical construction activities. Heavy equipment and other mechanized equipment and vehicles would be used. Internal combustion engines, mechanized equipment, grading, material handling and other activities would generate noise. The noise levels from construction activities would vary during the different construction tasks, depending upon the activity locations and number and types of activities. Mitigation measure NOISE-1 would ensure that noise generated by construction onsite is controlled consistent with General Plan Policy 12-P-9. In addition, loud construction activities would be further limited to hours dictated by City ordinances including, but not limited to, Section 15.88.060A.5. With the noise ordinance in place, implementation of NOISE-1 would limit construction noise impacts to a less than significant level.

Operation of the Project would not generate loud noise. Low noise levels would be emitted, primarily from outdoor electrical equipment and roof-mounted heating, ventilation and air conditioning motors and fans. The only sensitive noise receptors in the immediate site vicinity are residences located to the east. The facility design includes a building at the east end of the Site to effectively shield those residences from noise generated by electrical equipment. Noise modeling was conducted for Project operations using an assumption of all equipment in operation at the same time. Modeling is outlined in Appendix D and results show that the nighttime noise at the closest residences would be approximately 2.5 dBA above the average nighttime noise hour. Less than 3.0 dBA is not generally discernable so the 2.5 dBA increase would not be significant. Given the low levels of noise emitted and the location of noise generating equipment onsite, the Project would meet the noise level standard of General Plan Policy 12-P-1 at the property lines. Considering these factors, noise impacts from operations at the site would be less than significant.

In addition to the stationary noise sources on-site, the tie-line would have the potential to emit corona noise from the breakdown of air into charged particles in the electric field surrounding the surface of conductor wires. Corona noise levels vary widely based on humidity and other factors. Possible corona noise levels were modeled for the closest residences for each of the possible tie-line routes and results show corona noise levels at the closest residences are less than 25 dBA equivalent continuous level. This sound level is far below baseline noise levels and, therefore, would not be discernable. Therefore, the corona noise at nearest residences would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Mitigation Measure NOISE-1: *Loud construction work adjacent to development shall be limited to normal business hours between 8:00 am and 5:00 pm. The revised project will continue to have a less than significant impact with mitigation.*					
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☑	☐	No
Less Than Significant Impact: *Grading may generate localized low-level groundborne vibration and noise but would not generate excessive groundborne vibration or noise due to separation from sensitive receptors. Groundborne vibration and noise is attenuated rapidly with distance and the nearest sensitive receptors are residences to the east located approximately 100 feet or more from substantial grading activities. Considering this distance, groundborne vibration impacts would be less than significant. The revised project will continue to have a less than significant impact.*					
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐	No
Less than Significant Impact: *Construction noise impacts would be short term and, therefore, would not result in a permanent increase of ambient noise. Operation of the Project would not generate loud noise. Low noise levels would be emitted, primarily from outdoor electrical equipment and roof-mounted heating, ventilation and air conditioning motors and fans. Given the low levels of noise emitted and the location of noise generating equipment onsite, the Project design is expected to meet the noise level standard of General Plan Policy 12-P-1 at the property lines. The only sensitive noise receptors in the immediate site vicinity are residences located to the east. The facility design includes a building at the east end of the Site to effectively shield those residences from noise generated by electrical equipment. Considering these factors, long-term noise impacts would be less than significant. The revised project will continue to have a less than significant impact.*					
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐	No
Less Than Significant Impact With Mitigation Incorporated: *Construction would result in a temporary increase in ambient noise levels as described in Response (a) above. In addition, operations would result in low noise levels expected to be at or below the 70 dB General Plan Policy consistent with limits for the business commercial land use designation as described in Response (a) above. Mitigation measure NOISE-1 would ensure that noise generated by construction is controlled consistent with General Plan Policy 12-P-9. In addition, facility construction and operations would be required to comply with City noise protection ordinances. Because noise levels would be consistent with City standards, the impact would be less than significant. The revised project will continue to have a less than significant impact with mitigation incorporated.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑	No
No Impact: *The Project area is not within an airport land use plan or within two miles of a public or public use airport. The closest airport is in Concord more than seven miles to the southwest. The revised project will continue to have no significant impact.*					
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☑	No
No Impact: *There is no private airstrip in the vicinity of the Project area. The closest airport is in Concord more than seven miles to the southwest. The revised project will continue to have no significant impact.*					
XIII. POPULATION AND HOUSING -- Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☑	No
No Impact: *The proposed Project would not generate population growth, either directly or indirectly. It does not propose any housing or commercial development, nor extension of roads or expansion of infrastructure. Construction jobs would be short term and, therefore, would be expected to be filled by the existing regional workforce without inducing long-term growth. During operations, Project facilities would be unoccupied but visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. It is expected that operations positions would be filled with the existing workforce without relocation. Because the proposed Project would not generate new long-term full-time jobs or commercial businesses, construct new housing, or extend existing infrastructure, it is not expected to generate population growth. The revised project will continue to have no significant impact.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑	No
No Impact: *Existing housing would not be displaced by the construction or operation of the proposed Project. The Site is on land that is currently vacant and undeveloped. Therefore, no impacts would occur. The revised project will continue to have no significant impact.*					
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑	No
No Impact: *No people would be displaced by the construction or operation of the proposed Project. The Site is on land that is currently vacant and undeveloped. Therefore, no impacts would occur. The revised project will continue to have no impact.*					
XIV. PUBLIC SERVICES					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	☐	☐	☐	☑	No
No Impact: *The proposed Project would be designed and constructed to follow CCCFPD requirements for access, fire water supply, and vegetation management. The final design would be subject to CCCFPD review and approval. The presence of oil in transformers onsite would require submittal of a Hazardous Materials Business Plan on the California Environmental Reporting System with an emergency response plan with emergency coordinator contact information and mechanisms for emergency access to the unoccupied Project Site. Onsite roads would be constructed with a compacted subgrade and compacted gravel surface and would be maintained in a drivable condition for the duration of construction and operations. Access/egress gates would be constructed in compliance with specifications of Contra Costa County Fire Prevention Regulations. California Fire Code Section 304.1.2 would require the Project to be maintained free of vegetation capable of being ignited or endangering property. All electrical systems for the Projects would be required to be constructed in accordance with applicable codes. With adherence to these requirements, the Project is not expected to create a capacity or service level problem related to fire protection. No new or modified government facilities would be needed to provide fire protection for the Project. Therefore,*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
there would be no impact. The revised project will continue to have no significant impact.					
Police protection?	☐	☐	☐	☑	No
No Impact: *The proposed Project would be located in the City of Pittsburg which provides police protection and public safety within the City limits. Construction and operation of the Project would not generate a material demand on police services. The Site would be fenced with controlled access gates that would avoid the need for routine police protection services. Security cameras and alarms would be monitored remotely. Construction and operation of the Projects are not expected to generate population growth. Project facilities would be typically unoccupied during operation. Considering these factors, the proposed Project would not result in an adverse impact on City of Pittsburg Police Department response times, service ratios, or other performance objectives, nor would it result in the need for new or modified police facilities. No new or modified government facilities are needed to provide police protection for the Project. Therefore, there would be no impact. The revised project will continue to have no impact.*					
Schools?	☐	☐	☐	☑	No
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Therefore, no new demands on school facilities would occur, and there would be no impact on school capacities, service levels or performance objectives. The proposed Project would not require new or physically altered school facilities. Therefore, there would be no impact. The revised project will continue to have no significant impact.*					
Parks?	☐	☐	☐	☑	No
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Therefore, no new demands on park facilities would occur and there would be no impact on park capacities, service levels or performance objectives. The proposed Project would not require new or physically altered park facilities. Therefore, there would be no impact. The revised project will continue to have no significant impact.*					
Other public facilities?	☐	☐	☐	☑	No
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth or extend infrastructure. It would not create a substantial new demand for services and would not require new or physically altered public facilities. Therefore, there would be no impact related to new or physically altered government facilities. The revised project will continue to have no significant impact.*					
XV. RECREATION --					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Additionally, it would not displace, affect access to, or otherwise physically affect any park or recreational facility. Therefore, no increase or change would occur in the use of any park or recreational facility. Therefore, the proposed Project would not result in or accelerate physical deterioration of any park or recreational facility. The revised project will continue to ha no significant impact.*					
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☑	No
No Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Additionally, it would not displace, affect access to, or otherwise physically affect any existing park or recreational facility nor does it propose any new recreational facility The revised project will continue to have no significant impact.*					
XVI. TRANSPORTATION/TRAFFIC -- Would the project:					
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☑	☐	No
Less than Significant Impact: *As described in Response XIII(a), above, the proposed Project would not generate population growth. Project-related trips would be generated primarily during construction. Following construction, Project facilities would be unattended and visited periodically through the year for equipment inspections, monitoring and testing, and maintenance as needed. These periodic visits during operations represent negligible trip generation.* *Vehicles would access the Site from Willow Pass Road reached primarily via arterial roads from State Highway 4 including California Avenue (Minor Arterial), Railroad Avenue (Major Arterial), West 10th Street (Major Arterial), and Bailey Road (Major Arterial). The various routes available would tend to break up Project-related traffic on the arterial roads between State Highway 4 and Willow Pass Road. Willow Pass Road is a designated Major Arterial. Near the proposed Project it is a two lane paved road with 12 foot travel lanes, paved shoulders, and left turn pockets, within a 60-foot-wide ROW. The Site frontage on Willow Pass Road has sidewalks, curbs and gutters. Willow Pass Road has bus service via Tri Delta Transit with a bus stop east of the Site frontage at Willow Pass Road and Enterprise Circle (Tri Delta Transit, 2017). Willow Pass Road has a bike lane, but it is not marked as such (Reinders, 2017).*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
Construction would occur over a six to 12 month period during which the peak number of construction workers is expected to be approximately 75. In addition, deliveries during construction would generate an estimated 5 round trips spread throughout the day during peak construction activities. Construction worker and delivery traffic would incrementally add to existing traffic on Willow Pass Road and other arterial roads between Willow Pass Road and State Highway 4. Willow Pass Road and other arterials that may be used generally do not have existing capacity issues and can accommodate the short term construction traffic trip generation without exceeding the capacity of the existing circulation system (Reinders, 2017). The expected peak hour traffic considering the estimated 75 construction workers for peak activities would be considerably below the 100 peak hour trip threshold at which the City typically requires a detailed traffic analysis. Additionally, Project construction workers are expected to be primarily be from the existing regional workforce currently contributing traffic to regional transportation routes including State Route 4. Considering the relatively low number of trips generated and the expected use of the existing regional workforce, the short term of construction trip generation would not result in a substantial capacity impact on State Highway 4. *If the Project is required to connect to the existing water main in Willow Pass Road, a traffic management plan would be implemented pursuant to encroachment permit requirements from the City. A short-term lane closure may be required but work in the road is limited in scope and would be completed quickly with the road remaining open with traffic control. The nearby bus stop east of the site at Willow Pass Road and Enterprise Circle would not be affected. Construction parking and staging would be off-street on private property where it would not affect access to any public transportation. The proposed Project would not have a substantial effect on mass transit or bicycle transportation since Willow Pass Road would remain open.* *Considering the above analysis, the impact to the existing circulation system would be less than significant. The revised project will continue to have a less than significant impact.*					
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards standard established by the county congestion management agency for designated roads or highways?	☐	☐	☑	☐	No
See Response to XVI, above.					
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☑	No
No Impact: *The proposed Project would not affect any air traffic patterns or levels. There are no airports in the Project vicinity and the Project would not have an effect on any airport or on air travel. The revised project will continue to have no significant impact.*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☑	☐	No
Less than Significant Impact: *The proposed Project does not include any new construction or realignment of existing road facilities. The Site is within an existing parcel and the Project would not require new or modified streets or intersections. The Site would be accessed by an existing paved driveway capable of accommodating anticipated construction trip generation. Willow Pass Road includes a left turn pocket at the driveway location and is straight with clear vision in both directions from the driveway entrance providing an adequate line-of-sight for safe entrance and exit.* *Some construction deliveries to the Site could be oversized or overweight. Vehicles providing deliveries would be subject to size, weight, and load restrictions pursuant to the California Vehicle Code Division 15, including permits for oversize or overweight loads as required by the California Vehicle Code Section 35780 and California Code of Regulations Title 21 Section 1411.1 et seq. Considering existing laws and regulations for limiting hazards of oversize loads, oversize loads during the short duration of construction would not be an incompatible use.* *During operations, the Site would typically be unattended. Considering the low volume of traffic that would be generated by site visits, and the location of the driveway on a straight segment of Willow Pass Road with good visibility, operations would not substantially increase hazards due to design features or incompatible uses.* *Considering these factors, neither construction nor operation would substantially increase hazards due to a design feature or incompatible use. The revised project will continue to have a less than significant impact.*					
e) Result in inadequate emergency access?	☐	☐	☑	☐	No
Less than Significant Impact: *The proposed Project would not result in inadequate emergency access. It would not obstruct existing access routes, and onsite access roads and gates would be provided in accordance with CCCFPD requirements. Willow Pass Road would remain open during construction. Lane closure, if any, would be short-term and through passage would be maintained with traffic controls under an encroachment permit from the City. Considering these factors, the impact would be less than significant. The revised project will continue to have a less than significant impact.*					
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
XVII. TRIBAL CULTURAL RESOURCES -- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape, that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☑	No
No Impact: *A cultural resource records search was conducted through the CHRIS Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition, there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known archaeological or historic sites within the proposed Project Site or electric tie-line potential routes and that there are no known prehistoric archaeological sites within a one-half mile radius of the Project. A search of the NAHC Sacred Lands File failed to indicate the presence of Native American cultural resources in the Project area (Appendix E). As neither the proposed site nor the electric tie-line routes contain any identified archaeological, historic, or tribal cultural resources, as defined in Public Resources Code section 21074, there would be no effect on Tribal Cultural Resources. The revised project will continue to have no significant impact.*					
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
American tribe.					
No Impact: *A cultural resource records search was conducted through the CHRIS Northwest Information Center. The record search indicated that portions of the Project area were included in cultural resource surveys in 1988, 1995, 1996 and 2001. The first three of these were for water conveyance structures and projects. The last was of the Montezuma Enhancement Site, associated with the Pittsburg and Contra Costa County Power Plants. In addition there were 18 other surveys that may have included portions of the Project area. These, however, either had little or no fieldwork or were missing maps. The record search additionally revealed that there are no known archaeological or historic sites within the proposed Project Site or electric tie-line route and that there are no known prehistoric archaeological sites within a one-half mile radius of the Project. A search of the NAHC Sacred Lands File failed to indicate the presence of Native American cultural resources in the Project area. As neither the proposed site nor the electric tie-line potential routes contain any archaeological, historic, or tribal cultural resources, as defined in Public Resources Code section 21074, there would be no effect on Tribal Cultural Resources, and there are no resources determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Consequently, there would be no effect upon such resources. The revised project will continue to have no significant impact.*					
XVIII. UTILITIES AND SERVICE SYSTEMS -- Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑	No
No Impact: *The proposed Project would not discharge wastewater. No wastewater treatment requirements are applicable. Portable sanitary facilities would be provided on the Site and maintained by a licensed contractor for the term of construction. The revised project will continue to have no significant impact.*					
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☑	☐	No
Less than Significant Impact: *The proposed Project would not discharge wastewater. The Project water demand would be minimal, consisting of a temporary demand for construction and landscape water for operations. The existing City water supply main in Willow Pass Road is adequate to serve the project without expansion of existing facilities (Mata, 2017). A short tie-in to the main would be required for the project if the project cannot tie into the existing water supply infrastructure on the 35-acre parcel. The revised project will continue to have a less than significant impact.*					
c) Require or result in the construction of new storm water drainage facilities or expansion of	☐	☐	☐	☑	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
existing facilities, the construction of which could cause significant environmental effects?					
Less than Significant Impact: *No new or expanded drainage facilities are required offsite. Drainage from the site would flow to existing catch basins and an existing culvert near the northeast corner of the Site that would convey water beneath Willow Pass Road to an existing pump station with capacity for the anticipated flow. Therefore, there would be no impact. The revised project will continue to have a less than significant impact.*					
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☑	☐	No
Less than Significant Impact: *Project water demand would be minimal, consisting of a temporary demand for construction and landscape water for operations. The facility would be unattended and does not include sanitary facilities or other water needs other than minimal landscaping to satisfy City landscaping requirements. Water for construction and landscaping would be obtained from the City. Water is available from the City and existing City water entitlements and resources are adequate to serve the project (Mata, 2017). The revised project will continue to have a less than significant impact.*					
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☑	No
No Impact: *The proposed Project would be unattended and would not need waste water services. No potable water or permanent sanitary facilities are proposed. Portable sanitary facilities would be used onsite for construction with regular pumping and maintenance by a licensed contractor. Because there would be no need for wastewater service to the Site, there would be no impact. The revised project will continue to have no significant impact.*					
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☑	☐	No
Less than Significant Impact: *Most construction waste streams would consist of recyclable materials such as wood pallets, plastic and paper packaging and scrap metal that can be taken to a waste recycling center. Furthermore, construction would only generate waste for a short period of time. Generation of waste from construction that would need to be landfilled would be limited and would be short-term. The proposed project would be served by Keller Canyon Landfill, which is a class II landfill that accepts municipal solid waste. The landfill has a daily maximum capacity limit of 3500 tons/day and 320 truck trips. Keller Canyon Landfill has 52 million cubic yards of capacity remaining and is projected to have sufficient capacity for another 30 years. Total waste generated by the proposed*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
project during construction and operation would not be substantial relative to the capacity of the landfill therefore, impacts would be less than significant. The revised project will continue to have a less than significant impact. *Quantities of non-hazardous and hazardous waste generated by routine operations would be negligible. At the end of battery life, battery modules would be removed from the battery racks and returned to the manufacturer or their approved and permitted recycling partner(s) for dismantling, material processing and recovery.*					
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☑	☐	No
Less than Significant Impact: *The proposed Project would be required to comply with all relevant statutes and regulations and the Project as proposed would not conflict with any statute or regulation. The revised project will continue to have a less than significant impact.*					
XIX. MANDATORY FINDINGS OF SIGNIFICANCE --					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☑	☐	☐	No
Less than Significant Impact With Mitigation Incorporated: *With the exception of a portion of the tie-line West Alignment, if used, the Project footprint is within non-native grassland and urbanized portions of the HCP/NCCP that do not provide critical habitat. The Project would comply with the HCP/NCCP including mitigation fees and pre-construction surveys to ensure that impacts to affected resources are mitigated. The portion of the tie-line West Alignment that is north of Willow Pass Road includes wetlands that may provide habitat for several protected species. Mitigation Measures BIO-1 through BIO-5, would protect habitat and sensitive species that may occur in that area. These measures include minimization of impacts to the extent feasible and offsetting measures for impacts that cannot be avoided. Permanent impacts in wetland habitat where these species may occur would be approximately 0.38 acres or less. Considering the small area of important habitat that could be affected long term, with implementation of mitigation measures BIO-1 BIO-2, BIO-3, AND BIO-4, the Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, nor reduce the number or restrict the range of a rare or endangered plant or animal. There are no structures on the Project Site and no significant*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
historic or prehistoric resources are known to occur onsite based on a records search and Tribal outreach. Tie-line locations have not been surveyed for cultural resources. Mitigation Measure CUL-1 would require that the tie-line route be surveyed by a qualified professional and that significant resources, if present, be avoided by the tie-line design or, if unavoidable, be mitigated through proper research and documentation. Mitigation Measures CUL-2, CUL-3 and CUL-4 provide for protection of cultural resources in the event of a new discovery. Mitigation Measures CUL-1, CUL-2, CUL-3 and CUL-4 would ensure that impacts to cultural resources would be less than significant in the event cultural resource were to occur in the Project construction area. The revised project will continue to have a less than significant impact, with the implementation of mitigation measures.					
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☑	☐	☐	No
Less than Significant Impact With Mitigation Incorporated: *As described in preceding sections of this Initial Study checklist, the Project would have no impact on agricultural or forest lands, mineral resources, growth, population, housing, schools, parks, libraries, recreation, or public services, and the Project would not conflict with biological resource conservation plans, air quality protection plans, traffic congestion management plans, or other established environmental plans or policies. The Project would be consistent with the City Zoning ordinance with the adoption of a zoning text amendment such that a major utility would be permitted with a use permit. Because the Project would have no impact or conflict in these topic areas, there is no potential for the Project to have a cumulative effect in these topic areas with other past, current or probable future projects.* *The Project would not affect any designated scenic vista nor would it damage any scenic resources. The Project Site is in an industrial and commercially developed area and would be located on land zoned Industrial Park-Limited Overlay. The possible tie-line routes are through either existing industrial areas or adjacent to an existing major high voltage transmission line corridor. Considering these factors, the cumulative impact on aesthetic resources would be less than significant.* *Air quality cumulative impacts are addressed in Section III of this Initial Study checklist and are less than significant.* *As described in Section IV of this Initial Study, impacts to biological resources would be limited since, with the exception of a portion of the tie-line West Alignment, if used, the Project is in disturbed and urban habitat and impacts to biological resources would be mitigated through compliance with the HCP/NCCP. For the portion of the tie-line West Alternative where sensitive habitat and sensitive species may occur, Mitigation Measures BIO-1, BIO-2, BIO-3, and BIO-4 would limit impacts to a less than significant level and compensate for long term impacts with 3:1 habitat compensation for wetlands disturbances. The Applicant's Project Description incorporates HCP/NCCP requirements and*					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact

Mitigation Measure BIO-5 would require payment of HCP/NCCP mitigation fees to be paid in advance of non-native grassland disturbance. With these measures, impacts to biological resources would be fully mitigated and would not have the potential for significant cumulative effects.

No significant cultural resources are known to occur. Mitigation Measures CUL-1, CUL-2, CUL-3 and CUL-4 would ensure that impacts to cultural resources are mitigated in the event of an unexpected cultural resource discovery so that there are no cumulative impacts.

The Project would have no cumulative impact related to geology or soils. The Project would not impact important mineral resources or unique geologic features. Geologic hazards, by nature, are facility-specific and do not have the potential for cumulative effects. The Project would have no impact on seismic hazards at other locations, and no other reasonably foreseeable project could affect seismic hazards at the site. Therefore, there is no cumulative impact related to seismic shaking.

As described in Section VII of this Initial Study checklist, once constructed, the Project would not generate GhG emissions. The Project could be used to store energy from renewable projects such as solar and wind generation projects, reducing dependency on fossil fuel-produced electric energy and supporting the achievement of local, state and federal renewable energy goals directed at GhG reduction. Considering these factors, the Project would not have cumulative adverse GhG emission impacts.

As described in Section VIII of this Initial Study checklist, impacts of the Projects related to hazards and hazardous materials would be less than significant. Construction of the Projects would require the use of fuels, lubricants and other hazardous materials typical of construction sites and would be short term. No cumulative impact is anticipated. The facility would be unoccupied and operations would not typically require handling of hazardous materials. The project would be required to comply with all existing laws for safe handling of materials and no cumulative impact is anticipated.

The Project would not violate any water quality standard or waste discharge requirements or affect water quality. Therefore, there would be no cumulative effect in these areas. There would be no cumulative impact to hydrology because the Site would be designed in accordance with to drain to the same City-maintained system as existing conditions. The grading plan would be subject to review by the City's Building Division and the design includes bioretention swales and other BMPs features in accordance with the Stormwater C.3 Compliance Guidebook.

Construction noise would be short term and following construction the Project would not be a source of loud noise. The Project is designed with a building at the east end of the site where it would shield the closest sensitive receptors from low levels of noise generated by electrical equipment. The facility would comply with General Plan Policy noise levels. Considering these factors, the cumulative noise impact would be considerable.

As described in Section XVI of this Initial Study checklist, the Project would generate negligible traffic once construction is complete. No projects or other undertakings have been identified in the Site vicinity that could result in a considerable short term cumulative impact. Following construction, operations would typically be unattended, with routine monitoring and maintenance occurring during occasional site visits (e.g., monthly or less frequent over the long-term), which would be a negligible

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Significant Change in Impact
traffic impact. The Project would not involve new construction or realignment of any roads. The Project would be developed in conformance with all applicable plans, policies, programs, and ordinances related to transportation. Considering these factors, cumulative traffic impacts would be less than significant. *Considering the factors addressed above, the Project would not have significant cumulative impacts with mitigation incorporated. The revised project will continue to have a less than significant cumulative impacts.*					
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☑	☐	☐	No
Less than Significant Impact With Mitigation Incorporated: *The Project does not have the potential for environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly, other than those addressed in preceding sections of this Initial Study checklist. As described in preceding sections of this Initial Study checklist, the Project would have no impact on agricultural or forest lands, mineral resources, growth, population, housing, schools, parks, libraries, recreation or public services, and the Project would not conflict with zoning, land use, biological resource conservation plans, air quality protection plans, energy plans or policies, transportation, traffic and congestion management plans, or other established environmental plans or policies. The Project would not have substantial adverse effects related to aesthetics, air quality, energy consumption, greenhouse gasses, geology and soils, hazards or hazardous materials, hydrology, water quality, transportation or utilities. With recommended mitigation measures BIO-1 through BIO-5, CUL-1 through CUL-4, and NOISE-1 identified in Sections IV, V, and XII, respectively, of this Initial Study checklist, the Project would have less than significant impacts related to biological resources, cultural resources, and noise. There would be no significant direct, indirect or cumulative impacts with these mitigation measures incorporated. The revised project will continue to have a no significant direct, indirect or cumulative impacts with mitigation measures incorporated into the project.*					

City of Pittsburg

Diablo Energy Storage Project
AP-20-1507 (DR)

Prior & Requested Approvals

Approved September 2018

- Amendment to IP-O District to allow Major Utility with Use Permit
- Approval of a Use Permit for Battery Storage Project

Current application

- Design Review

Proposed Project Concept

- Use Fluent Cube and Core technology
- More efficient process
- Arranged in 3 horizontal rows across site
- Substation located at northwest corner of site

Site Improvements

- 8-foot high masonry wall on 3 sides
- Access to site from southwestern corner
- Adequate access for Fire Protection
- Extensive landscaping

Landscaping

- 66.9 foot strip outside of masonry wall
- Bio retention basin
- Designed to match West Tenth Street improvements
- Street trees 35-feet on center
- Drought tolerant species

Fire Protection

- Contra Costa County Fire Protection District
- California Fire Code – Section 1206
- National Fire Protection Code Section 855
- CCCFD review and approval of Plan

Noise

Updated Noise Analysis – LSA

- Less impact
- Residences east - 0.3 dBA_{Leq}
- Residences west – 1.5 dBA_{Leq}
- Residences south – no change

Visual Analysis

Four viewpoints shown

- Masonry wall and landscaping screen and soften viewpoints of site
- Equipment barely visible above wall

Comparison to Prior Approval

- Equipment on site rather than in three 60,000 sq ft building
- Masonry wall surrounding three sides compared to wire fence
- Height 10-feet compared to 29-foot buildings
- Lower profile from Willow Pass Road

Recommendation

- Adopt Resolution recommending Design Review approval

CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT
May 26, 2020

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 for the Crossroads Christian Church Patio Cover at 3840 Railroad Avenue.

RECOMMENDATION:

Staff recommends that the 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.

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 her intent to exercise delegated design review authority. Copies of resolutions approving any delegated design review application must also be provided to the Commission.

PROJECT DESCRIPTION:

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

1. Crossroads Christian Church Patio Cover, AP-20-1502 (AD) – Delegated Design Review Category 6.

   This is an application filed by Maria Lorenzana, on behalf of Crossroads Christian Church, requesting administrative design review approval to construct a 1,120 square foot patio cover (56 feet by 20 feet), located at 3840 Railroad Avenue in the CN (Neighborhood Commercial) District. Assessor's Parcel Number 087-121-026.

GENERAL PLAN/CODE COMPLIANCE:

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

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Acknowledge receipt of the attached Notice of Intent.

ATTACHMENTS:

1. Notice of Intent: Crossroads Christian Church Patio Cover, AP-20-1502 (AD)

Prepared by: Kristin Pollot, AICP, Zoning Administrator

NOTICE OF INTENT

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

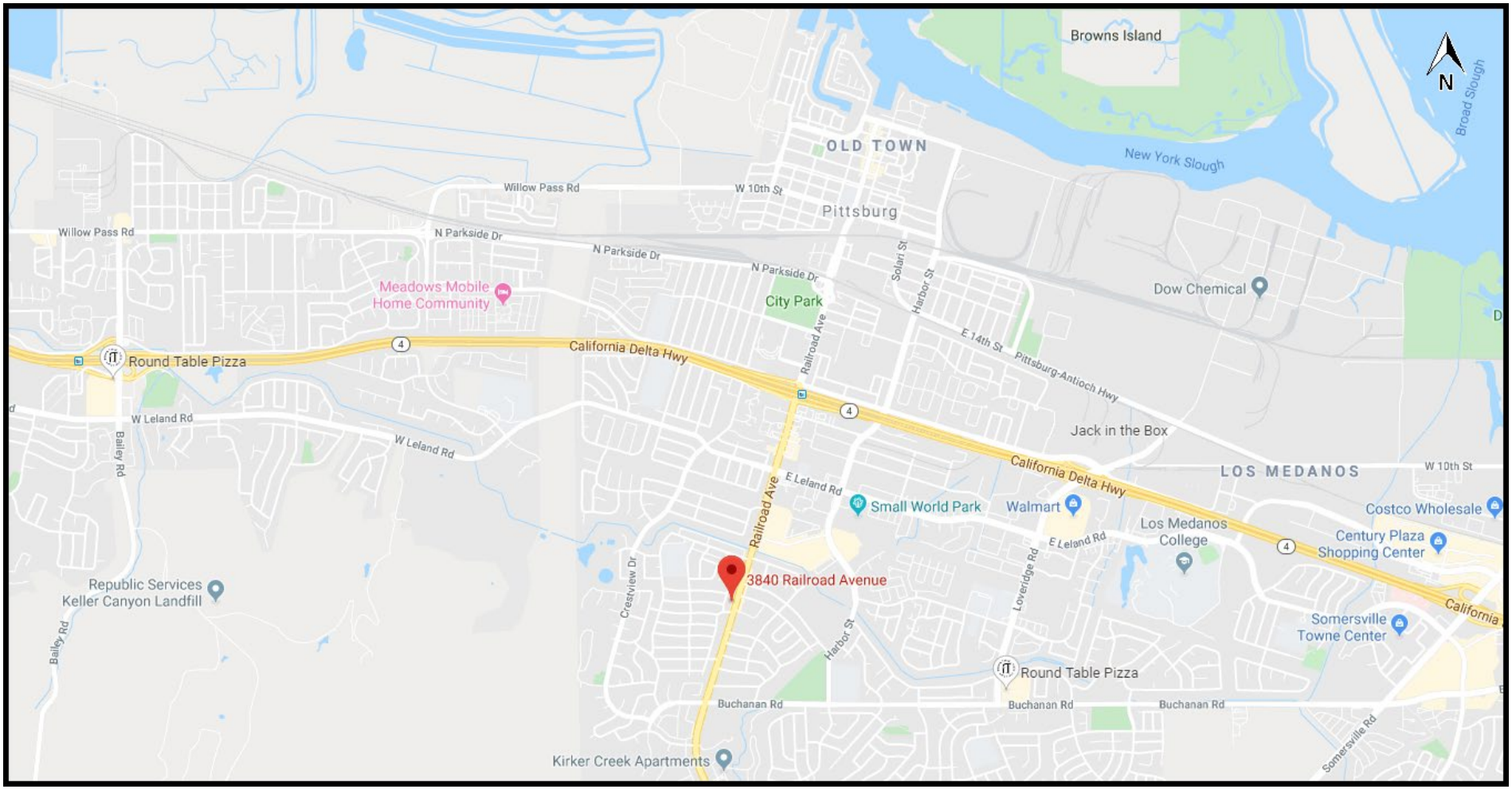
Crossroads Christian Church Patio Cover, AP-20-1502 (AD).

This is an application filed by Maria Lorenzana, on behalf of Crossroads Christian Church, requesting administrative design review approval to construct a 1,120 square foot patio cover (56 feet by 20 feet), located at 3840 Railroad Avenue in the CN (Neighborhood Commercial) District. Assessor's Parcel Number 087-121-026.

This project is delegated to staff under Category 6 (Additions to Existing Buildings, additions must be smaller than 2,500 sq. ft. and designed to complement existing building architecture) of Planning Commission Resolution No. 9918.

Crossroads Christian Church Patio Cover – Vicinity Map

AP-20-1502	3840 Railroad Avenue
Administrative Design Review	APN: 087-121-026



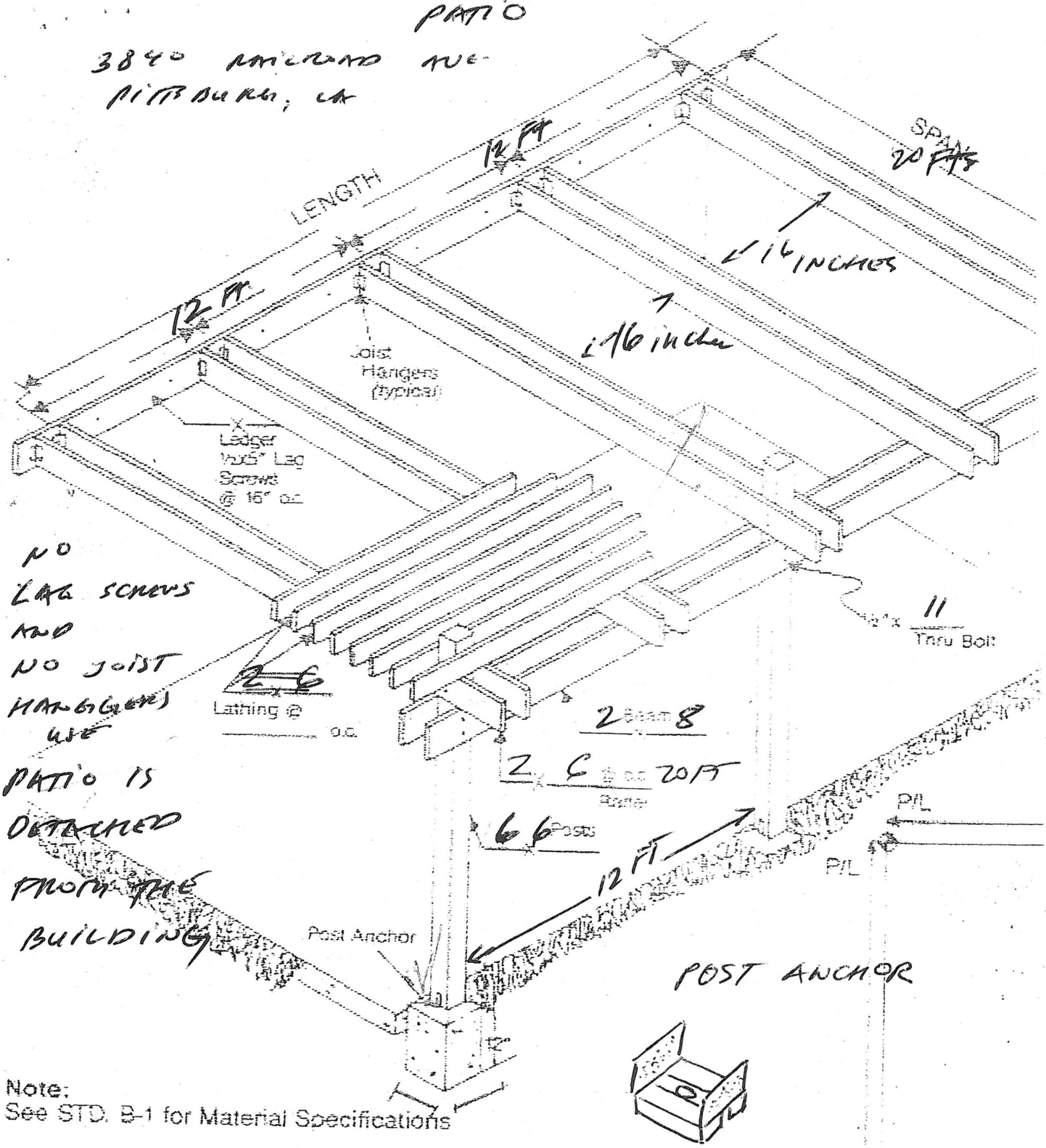
Crossroads Christian Church Patio Cover – Aerial Map

AP-20-1502	3840 Railroad Avenue
Administrative Design Review	APN: 087-121-026



CHURCH PATIO

3840 RAILROAD AVE
PITTSBURG, CA



NO LAG SCREWS AND NO JOIST HANGGERS USE

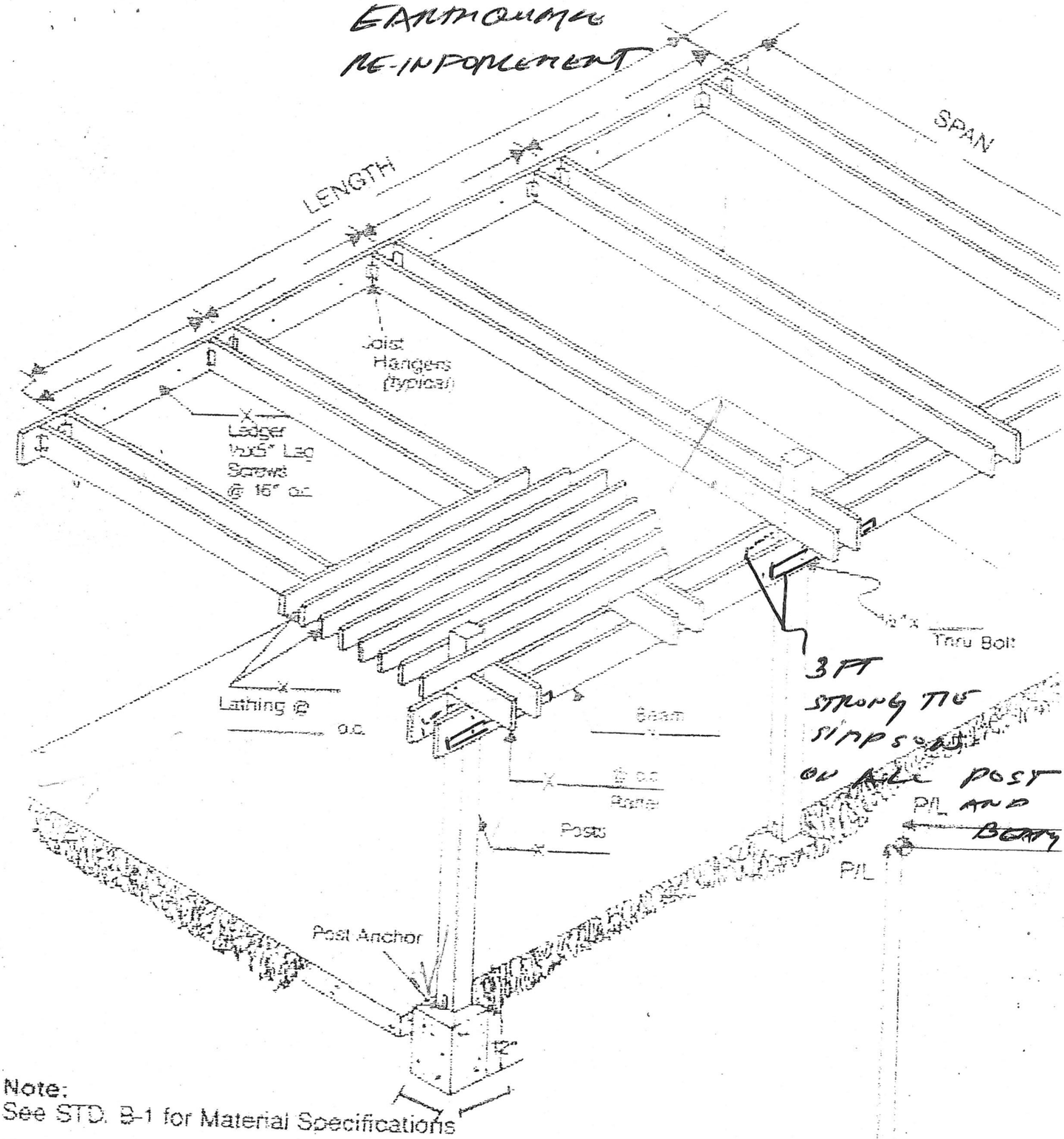
PATIO IS DETACHED FROM THE BUILDING

POST ANCHOR

Note:
See STD. B-1 for Material Specifications

INSERT SIZES / DIMENSIONS APPLICABLE

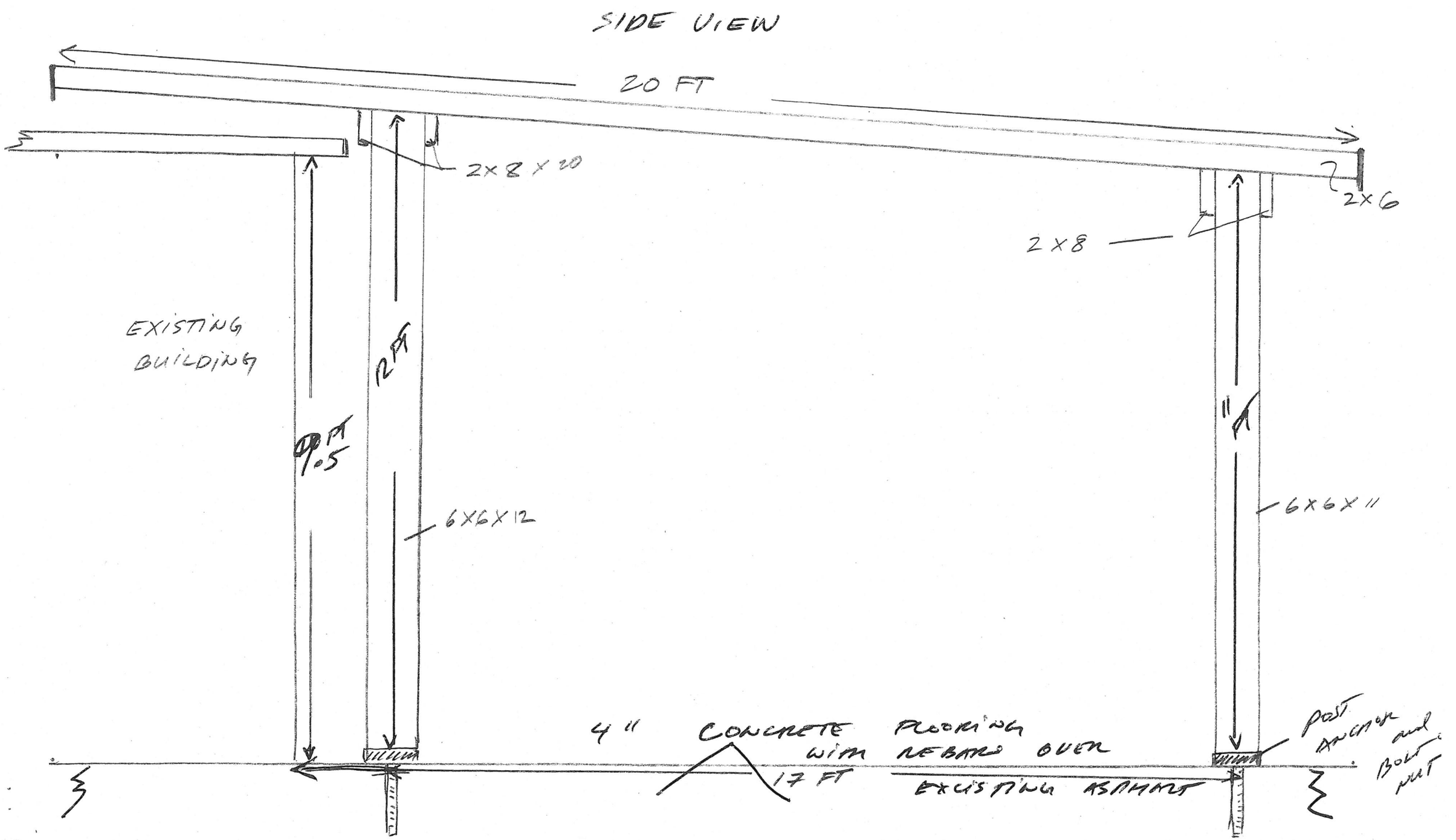
RAFTER			BEAM & FOOTING					
SIZE	SPACE	SPAN	PROJ	4x4	4x6	4x8	4x10	SQ. FTG.
	12"	10'6"	8'	7'0"	11'0	14'6"	18'6"	12'
2x4	16"	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]



Note:
See STD. B-1 for Material Specifications

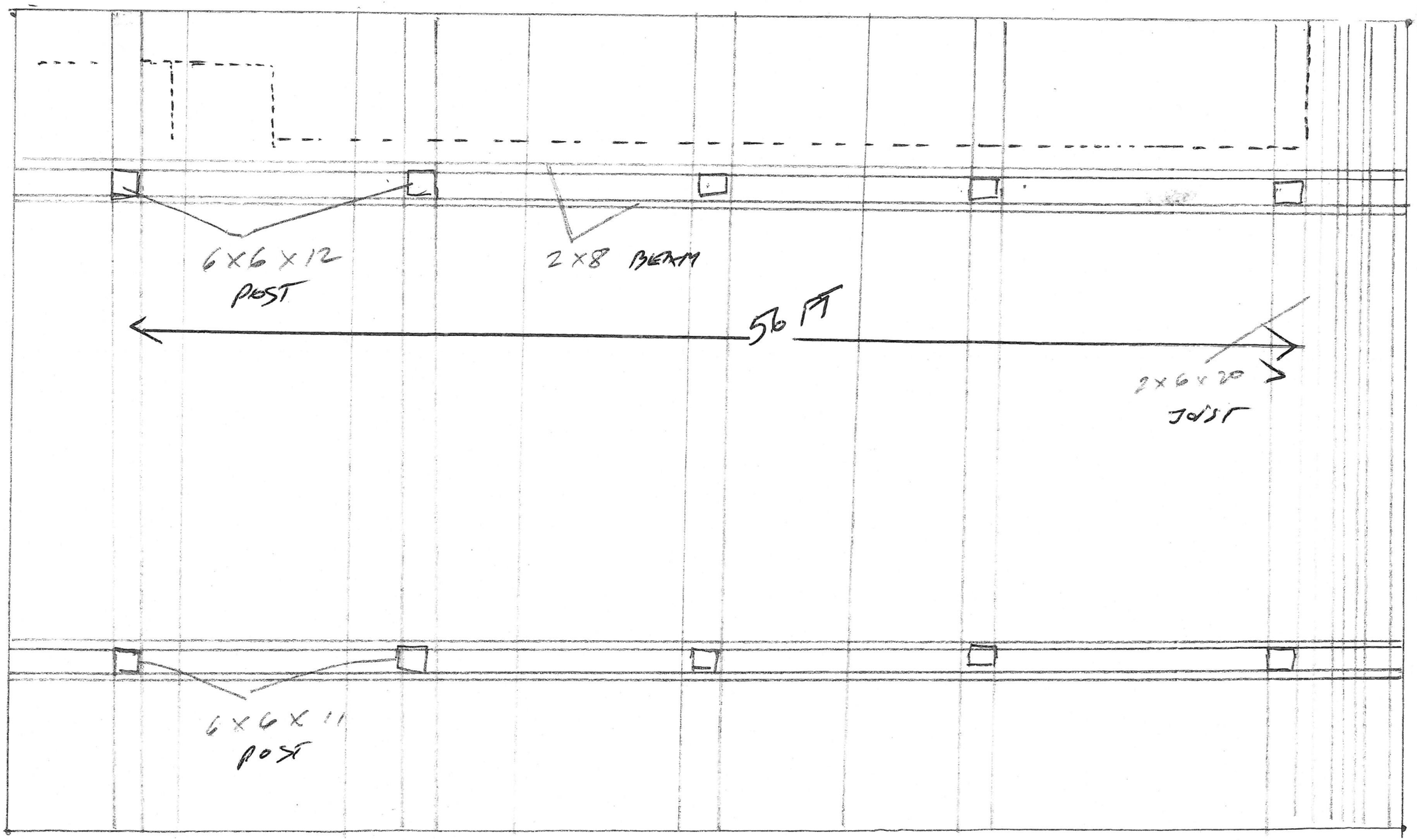
INSERT SIZES / DIMENSIONS
APPLICABLE

RAFTER			BEAM & FOOTING					
SIZE	SPACE	SPAN	PROJ	4x4	4x6	4x8	4x10	SQ. FTG.
	12"	10'6"	8'	7'0"	11'0	14'6"	[illegible]	[illegible]
2x4	16"	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]



PATIO MADE OF TREATED WOOD AND ROOF IS GALVANIZED SHEET . 26 GAUGE

TOP VIEW

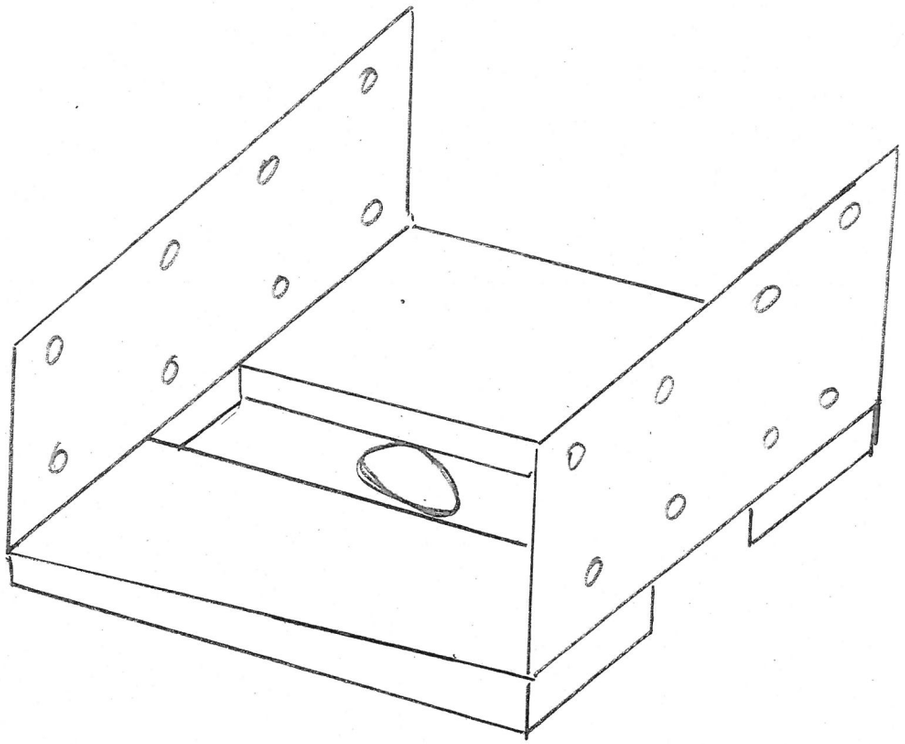


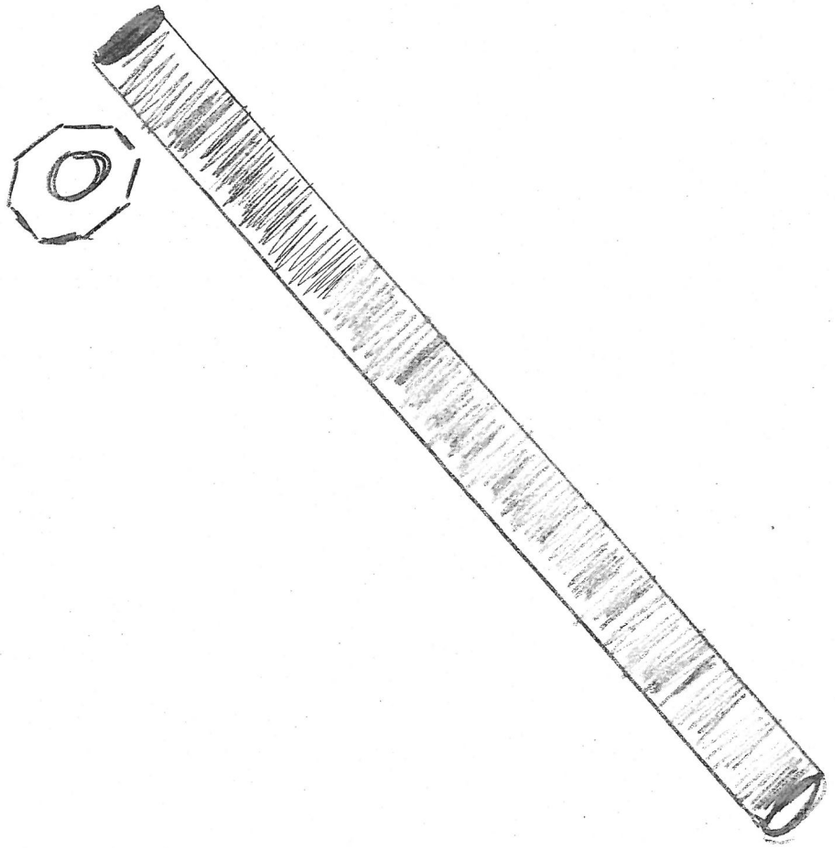
(- - - - -) EXISTING BUILDING OUTLINE

POST ANCHOR

AND

5/8 x 12 BOLT & NUT

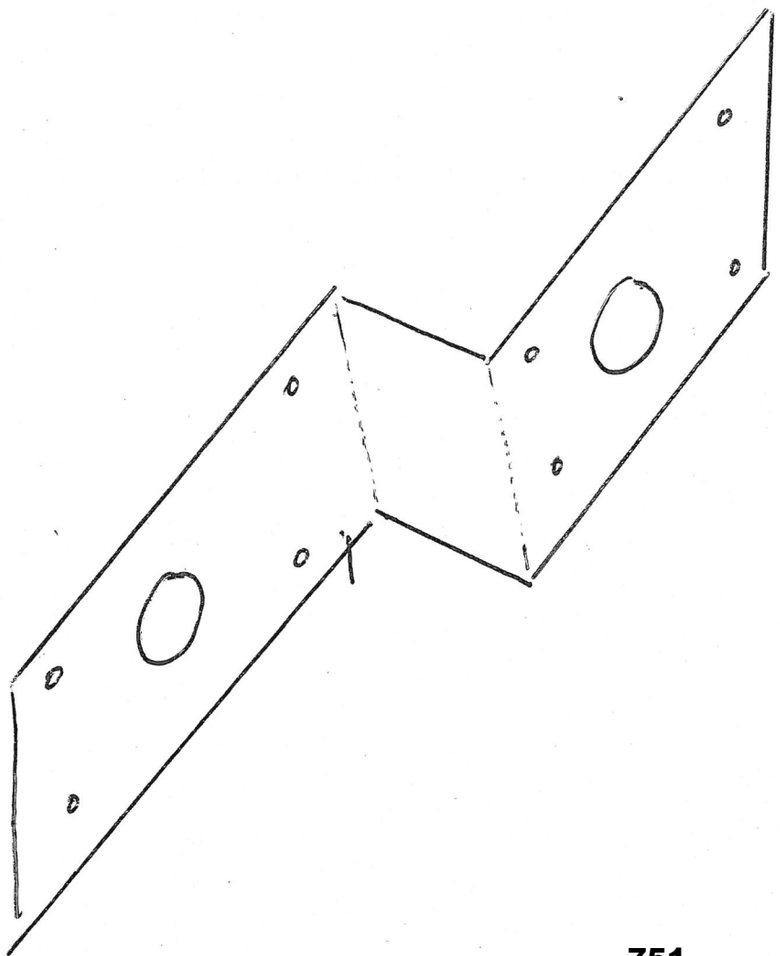


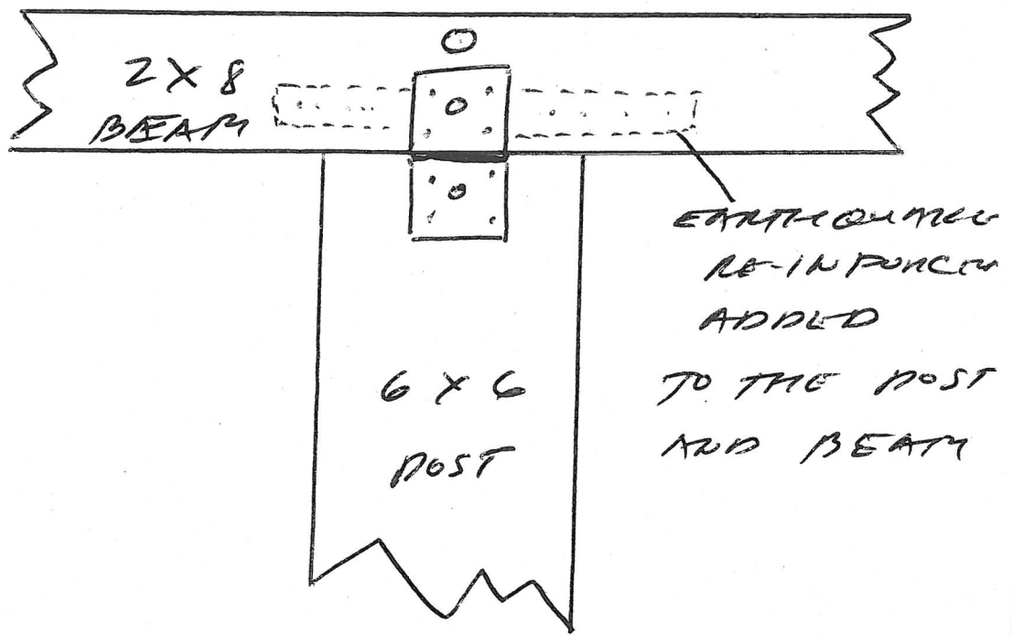


SECURING POST TO BEAM (~~XXXXXXXX~~)

STRONG TIE

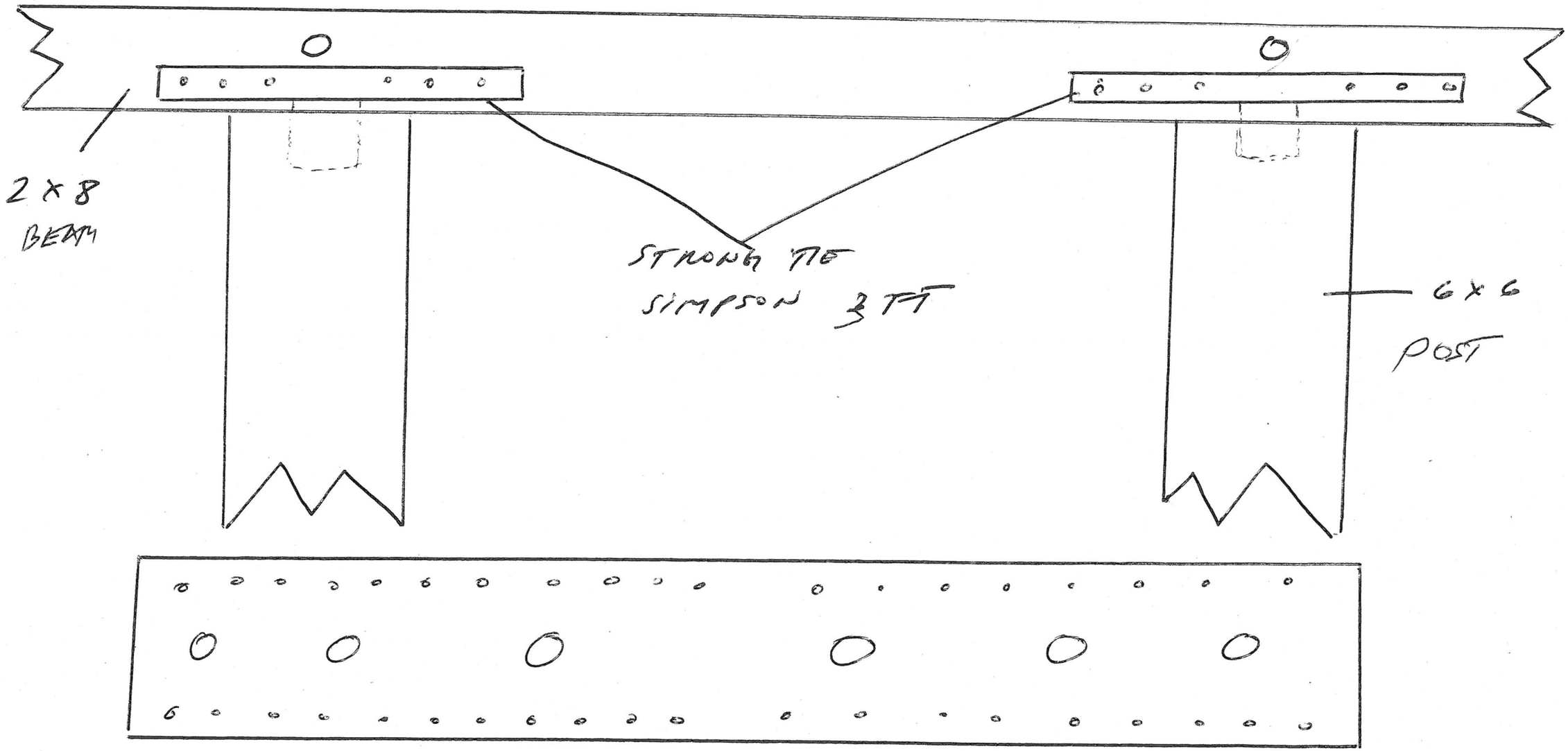
SIMPSON



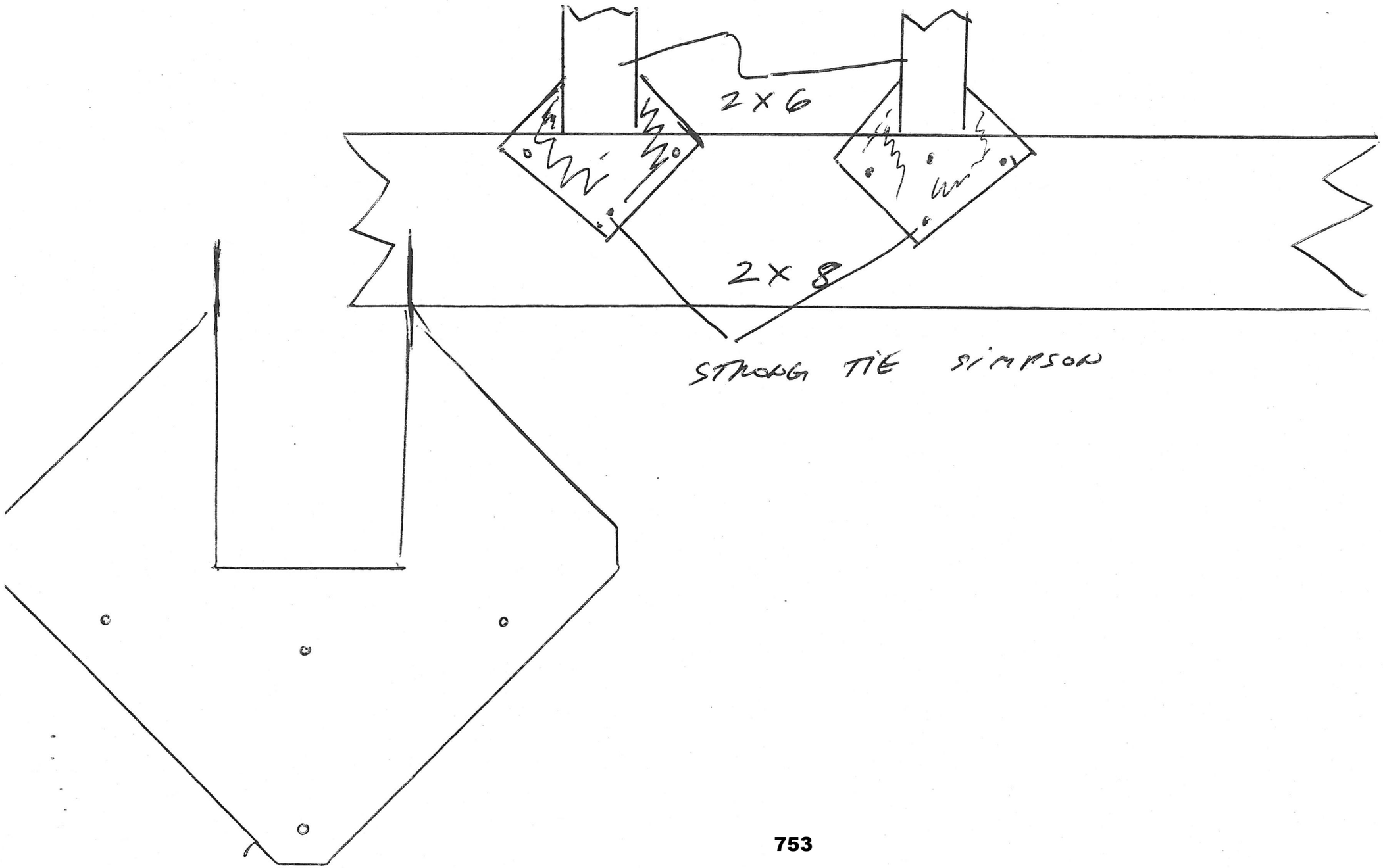


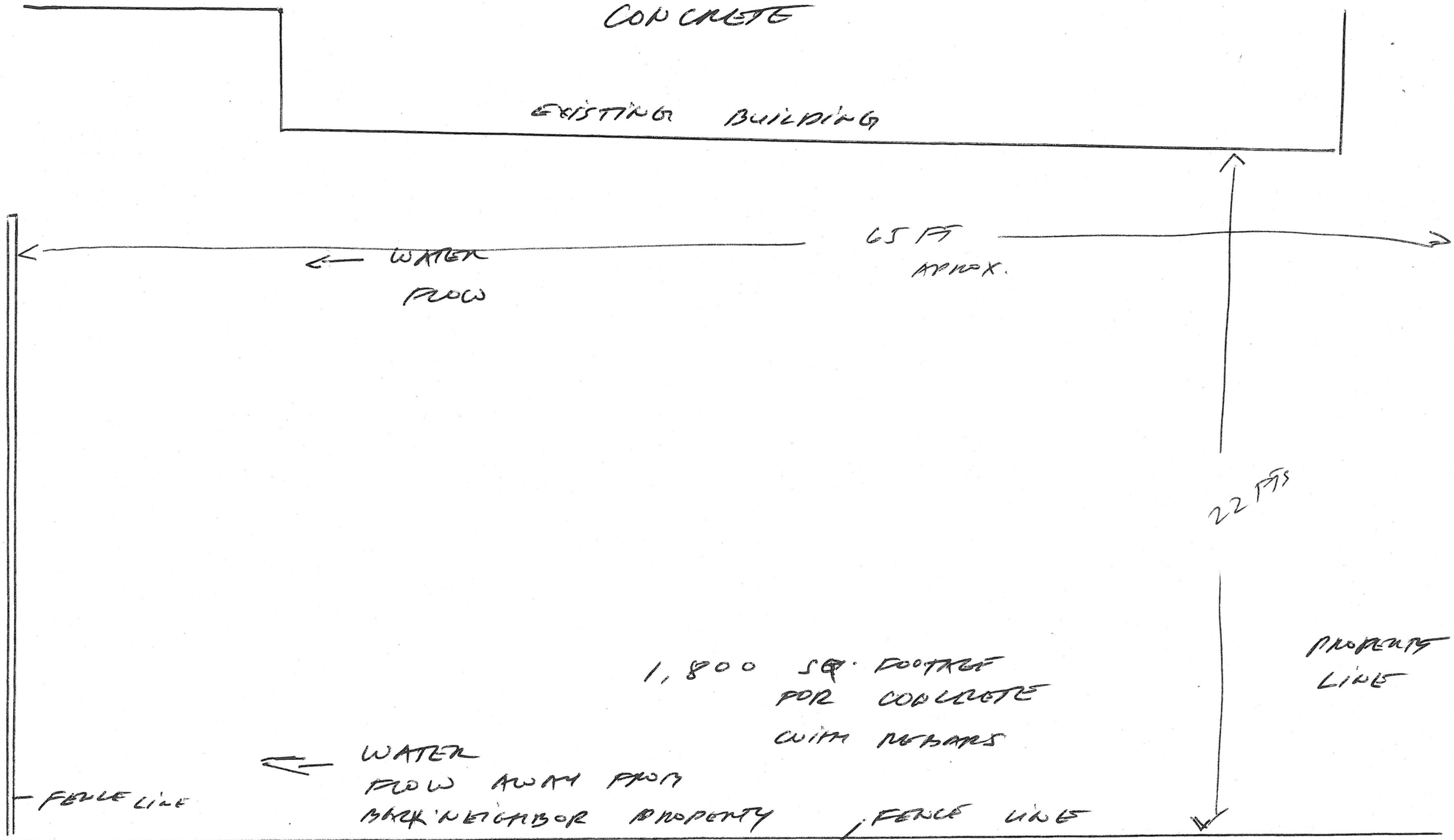
NOTE:

EARTHQUAKE RE-INFORCEMENT



SECURING THINGS TO BEAM




CONCRETE
EXISTING BUILDING
65 FT
APPROX.
WATER
FLOW
22 FTS
PROPERTY
LINE
1,800 SQ. FOOTAGE
FOR CONCRETE
WITH REBARS
WATER
FLOW AWAY FROM
BACK NEIGHBOR PROPERTY
FENCE LINE
FENCE LINE

Planning Application

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

TYPE OF APPLICATION REQUESTED:

- [ ] UP Conditional Use Permit
- [x] DR Design Review
- [ ] ADR Design Review (Admin)
- [ ] GP General Plan Amendment
- [ ] RZ Rezoning (Includes PUD)
- [ ] SUB Major Subdivision
- [ ] MS Minor Subdivision
- [ ] VA Variance
- [x] ZA Zoning Administrator — ~~$ 700~~ 100 Pilot program railroad ave
- [ ] TRP Tree Removal Permit
- [ ] TA Temporary Activity
- [ ] PPR Preliminary Plan Review
- [ ] MM Minor Modification (wireless)
- [ ] SR Sign Review (Type:_____)
- [ ] Other:_____

STAFF USE ONLY
Application Number: AR 20 - 1502 Date Filed: 2/27/2020

PROJECT INFORMATION: CROSSROAD CHRISTIAN CHURCH ~~ASSEMBLY~~ OF GOD - CONTRA COSTA

Project Name (Business/Development): CHURCH PATIO
Address/Location of Project: 3840 RAILROAD AVE. PITTSBURG, CA.
Assessor's Parcel No(s): 087-121-026
Mapping Address (Latitude/Longitude):_____
Existing General Plan / Zoning Designations: ~~OSRM~~
Proposed General Plan / Zoning Designations:_____
Existing Use:_____
Proposed Use:_____
Size of Existing Structure(s):_____
Size of Proposed Additions / New Structure(s):_____
Amount of New Impervious Surfaces (s.f. or acres)[1]:_____
Property Size (s.f. or acres):_____ No. of Existing Lots:_____ Proposed:_____
Days/Hours of Operation:_____
No. of Employees, Existing:_____ Proposed:_____
No. of On-Site Parking Stalls, Existing:_____ Proposed:_____
HCP Land Cover Type:_____ Cortese List: Yes ☐ No ☐

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

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

Added by staff per email dated 4/29/20:

Materials:	Post and all wood	Color: Brown.
	Roof	Color: Mocha Tan
	Metal	Color - Black

Metal are base Post, Simpsons strong tie. All metals that bolts and screws will remain as it is.

APPLICANT INFORMATION:

Applicant Name: MARIA LORENZANA Primary Contact: 925-216-7996
E-Mail: samjoy6805@yahoo.com Phone: same as above
Mailing Address: 3840 RAILROAD AVE. PITTSBURG, CA.

Property Owner(s): _____
E-Mail: _____ Phone: _____
Mailing Address: _____

Notarized Signature of Agent and/or Property Owner:

Agent (Attach Notary): _____ Date: _____
Property owner/manager (attach notary): [signature] Date: 02/27/2020

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

SUBMITTAL REQUIRMENTS: *(to be completed by the applicant)*

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

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

STAFF USE ONLY
TOTAL FEES PAID*: $100 Date Rec'd: 2/27/2020 By: Trishia

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