

City of Pittsburgh Planning Commission Agenda

May 08, 2018

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

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

Planning Commission Members

**Mark Gargalikis, Chair
James Coniglio, Vice-Chair
Wolfgang Croskey, Commissioner
Jeremy Ward, Commissioner
Durie Foster, Commissioner
Elissa Robinson, Commissioner
Mark Linde, Commissioner**

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

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

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

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE

PRESENTATIONS

CONSENT

(All items listed under the "Consent" portion of the agenda are considered routine and are adopted under one motion. Any item appearing as a Consent item on this agenda will be considered separately only upon request from a member of the Planning Commission, staff or public.)

1. Minutes

Meeting Minutes of April 24, 2018

PUBLIC HEARINGS

2. Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP).

This is a public hearing on a request for a recommendation for City Council approval of a 57-unit, single-family development on a 4.98-acre site located at 350 Central Avenue in the CS (Service Commercial) and RS-5 (Single-Family Residential) districts. Assessor's Parcel Nos. 086-160-009, -011, -012, and 086-151-001. The requested approvals include: 1) a General Plan map amendment to change the site's land use designation to 'Medium Density Residential'; 2) a zoning map amendment to rezone the site to PD (Planned Development) District; 3) a development agreement; 4) a vesting tentative map to subdivide the property; 5) design review; and 6) a tree removal permit.

3. Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR, DA).

This is a continued public hearing on a request for a recommendation to City Council for: 1) adoption of an amendment to the existing 'Empire Business Park' Overlay Zoning District (Ord. No's. 07-1284 and 04-1214) to allow a "Major Utility" use subject to a use permit; 2) approval of a development agreement; 3) approval of a use permit for a Major Utility; and 4) 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.

ZONING ADMINISTRATOR REPORTS

- 4. Notice of Intent to Exercise Delegated Design Review Authority.**
The Zoning Administrator submits one notice of intent to exercise delegated design review authority for approval to remodel the exterior of, and add an additional 100 square feet to, an existing office building located at 295 E. Leland Road.

STAFF COMMUNICATIONS

COMMITTEE REPORTS

ADJOURNMENT OF PLANNING COMMISSION MEETING

NOTICE TO PUBLIC

NOTICE TO THE DISABLED AND VISUALLY OR HEARING IMPAIRED

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

GENERAL INFORMATION

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

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

April 24, 2018

A regular meeting of the Pittsburg Planning Commission was called to order by Chair Gargalikis at 7:00 p.m. on Tuesday, April 24, 2018, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL

Present: Chair Gargalikis, Commissioner Croskey, Foster, Linde, Ward

Absent: Commissioner Coniglio and Robinson

Staff: Community Development Director Jill Hecht, Acting Planning Manager/
Secretary Jordan Davis, Senior Planner Hector Rojas, Deputy City Clerk
Amanda McVey, Planning Technician Celina Palmer

PLEDGE OF ALLEGIANCE

Commissioner Linde led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

Item 3 from the Public Hearings calendar, Diablo Energy Storage Project, Ap-17-1270 (RZ, UP, DR, DA), was continued to the next regularly scheduled meeting of May 8, 2018.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience

PRESENTATIONS

There were no presentations

CONSENT

1. Minutes of March 27, 2018

On motion by Commissioner Foster seconded by Commissioner Ward to approve the minutes and carried by the following vote:

AYES:	Croskey, Foster, Gargalikis, Linde, Ward
NOES:	None
ABSTAIN:	None
ABSENT:	Coniglio, Robinson

PUBLIC HEARINGS

2. Hazard Mitigation Plan General Plan Amendment, AP-18-1332 (GP)

A public hearing on a request for a recommendation for City Council approval of a General Plan amendment to add a new policy to the Health and Safety Element to incorporate the recently adopted 2017 Hazard Mitigation Plan (“HMP”) by reference. This amendment would apply citywide.

Acting Planning Manager/Secretary Jordan Davis gave a presentation.

Chair Gargalikis opened the public hearing.

Bruce Ohlson, Pittsburg, spoke about automatic gas shut off systems for earthquakes registering 5.0 or greater on the Richter Scale.

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

On motion by Commissioner Ward seconded by Commissioner Foster to approve the proposed amendments and carried by the following vote:

AYES:	Foster, Gargalikis, Linde, Ward
NOES:	Croskey
ABSTAIN:	None
ABSENT:	Coniglio, Robinson

3. Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR, DA)

A continued public hearing on a request for a recommendation to City Council for: 1) adoption of an amendment to the existing ‘Empire Business Park’ Overlay Zoning District (Ord. No’s. 07-1284 and 04-1214) to allow a “Major Utility” use subject to a use permit; 2) approval of a development agreement; 3) approval of a use permit for a Major Utility; and 4) 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.

This item was continued to the meeting of May 8, 2018.

COMMISSION CONSIDERATIONS

4. Alturas Triplexes, AP-17-1276 (DR)

A request for design review approval of plans to construct five, three-unit apartment buildings and related site improvements on five vacant parcels (ranging in size

from 9,652 and 10,025 square feet) located at 6, 14, 45, 70, and 78 Alturas Avenue, in the RM (Medium Density Residential) District. Assessor's Parcel Nos.: 087-114-012; 087-114-011; 087-114-014; 087-114-004; and 087-114-003.

Planning Technician Celina Palmer gave a presentation.

Anthony Venturi, Danville, spoke as the applicant.

There being no one to speak further to the item, Chair Gargalikis brought the item back to the Commission to discuss.

On motion by Commissioner Croskey seconded by Commissioner Linde to approve design review and carried by the following vote:

AYES:	Croskey, Foster, Gargalikis, Linde, Ward
NOES:	None
ABSTAIN:	None
ABSENT:	Coniglio, Robinson

5. Public Storage at 1275 California Avenue, AP-17-1288 (DR)

An application by Public Storage, Inc., requesting design review approval to construct a new, approximately 42,776 square foot, two-story self-storage building within the existing Public Storage facility and repaint the exterior of the existing storage and office buildings. The newly proposed building would occupy a portion of the property currently used for RV and boat storage. The project site is located at 1275 California Avenue, in the CS-O (Service Commercial with an Overlay, Ordinance No. 07-1284) District. APN: 073-190-031.

Acting Planning Manager/Secretary Jordan Davis gave a presentation.

Andres Friedman, spoke as the applicant.

Bruce Ohlson, Pittsburg, suggested including a fee for frontage improvements at the project site in anticipation of a future bicycle plan involving bicycle access from Loveridge Road to Harbor Street.

There being no one to speak further to the item, Chair Gargalikis brought the item back to the Commission to discuss.

On motion by Commissioner Croskey seconded by Commissioner Linde to approve design review with an added condition of approval requiring the developer pay a fee not to exceed \$10,000 for bicycle facility improvements, with the added stipulation that should the developer request and be granted a certificate of occupancy for the new structure prior to adoption by the City of a master plan or other plan identifying a specific bicycle facility project, project cost estimate, and project timeline on

or adjacent to the project site for which the developer would be required to pay a fair share of, the developer would be relieved of this requirement, and carried by the following vote:

AYES:	Croskey, Foster, Gargalikis, Linde, Ward
NOES:	None
ABSTAIN:	None
ABSENT:	Coniglio, Robinson

STUDY SESSION

6. Liberty Residential Subdivision Trash Collection Plan

A study session concerning garbage collection options for a 57-unit, single-family development on a 4.98-acre site located at 350 Central Avenue in the CS (Service Commercial) and RS-5 (Single-Family Residential) districts. Assessor's Parcel Nos. 086-160-009, -011, -012, and 086-151-001. Staff is requesting the Commission consider two trash collection approaches and provide feedback as to which option would be preferable moving forward.

Senior Planner Hector gave a presentation.

Bruce Ohlson, Pittsburg, spoke against garbage bins that may block parking in front of his house.

Commissioners provided feedback to staff.

7. Galloway Mutiplexes Update

A study session to review concept plans for construction of three, three-unit apartment buildings on three separate parcels located at 345 W. 10th Street, 172 W. 10th Street, and 463 W. 10th Street in the M (Mixed Use) District. Assessor's Parcel Nos. 085-211-004, 085-226-014, and 085-241-003. Staff is requesting the Commission provide comments before complete plans are brought back for formal consideration.

Planning Technician Celina Palmer gave a presentation.

Gwen Bertolami, Bertolami Engineering, spoke as the applicant.

Commissioners provided feedback to staff.

ZONING ADMINISTRATOR REPORTS

8. Notice of Intent to Exercise Delegated Design Review Authority and Submittal of Adopted Zoning Administrator Resolutions.

The Zoning Administrator one notice of intent to exercise delegated design review authority for the construction of a new 1,050 square-foot, two cell cooling water tower that replace an existing cooling tower and would utilize existing pipe racks at the Dow chemical Company facility at 901 Loveridge Road. The Zoning Administrator also

submits four resolutions previously approved under the delegated authority (Planning Commission Resolution No. 9918).

Commissioners acknowledged receipt of notice and resolutions.

STAFF COMMUNICATIONS

9. Tentative Schedule

Acting Planning Manager / Secretary Jordan Davis reviewed the tentative schedule with the Commissioners.

COMMITTEE REPORTS

There were no committee reports.

ADJOURNMENT

The meeting was adjourned at 8:15p.m. to May 8, 2018.

Jordan Davis, AICP, Acting Secretary

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP).

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

SUBJECT: This is a public hearing on a request for a recommendation for City Council approval of a 57-unit, single-family development on a 4.98-acre site located at 350 Central Avenue in the CS (Service Commercial) and RS-5 (Single-Family Residential) districts. Assessor's Parcel Nos. 086-160-009, -011, -012, and 086-151-001. The requested approvals include: 1) a General Plan map amendment to change the site's land use designation to 'Medium Density Residential'; 2) a zoning map amendment to rezone the site to PD (Planned Development) District; 3) a development agreement; 4) a vesting tentative map to subdivide the property; 5) design review; and 6) a tree removal permit.

RECOMMENDATION:

Staff recommends that the Commission adopt Resolution No. 10099, recommending City Council approval of a General Plan map amendment, zoning map amendment, development agreement, vesting tentative map, design review, and tree removal permit for the Liberty Residential Subdivision, Planning Application No. 17-1229, subject to conditions.

BACKGROUND:

In 2014, Meea Kang filed a planning application requesting approval of: 1) a General Plan amendment to change the land use designation of the site from a combination of 'Service Commercial' and 'Low Density Residential' to 'High Density Residential'; and 2) a rezoning of the site from a combination of CS (Service Commercial) and RS-5 (Single-Family Residential) districts to RH (High-Density Residential) District. The Commission held a public hearing to consider Ms. Kang's project on September 9, 2014. At this meeting, the Commission could not reach a consensus on its desired recommendation and voted to continue the item for further review.

On May 20, 2015, staff received a letter from Ms. Kang requesting that the initial version of the application be revised in order to rezone the site to RM (Medium Density Residential) District instead of the previously requested change to RH (High Density Residential) District. Because of the change in proposal, the potential allowable density was substantially decreased. Under the originally requested RH District, the site would have been zoned for a maximum of 120 units (14 to 24 d.u./ac). The subsequent RM District proposal would have allowed for up to 70 units (4 to 14 d.u./ac).

On May 26, 2015, the Commission held a public hearing on Ms. Kang's revised proposal. During the public hearing, there was extensive testimony received from the public generally opposing the project. Concerns included the following: 1) the project would not be consistent with the surrounding neighborhood's single-family character; 2) the proposal would not be consistent with the goals of the Railroad Avenue Specific Plan; 3) there are not enough jobs available in the community to accommodate additional residents; 4) existing schools are overcrowded; 5) the project may result in negative impacts to Downtown Pittsburg; 6) there could be increased traffic and parking problems for the area; 7) the project could increase crime rates in the immediate vicinity; and 8) without conceptual project plans, there would be too much uncertainty regarding future development of the site.

Following the close of the public hearing, the Commission deliberated and voted 6-0 to deny the Ms. Kang's revised proposal without prejudice (Planning Commission Resolution No. 9982). The Commission's denial was based primarily on the lack of conceptual project plans to support the requested General Plan amendment and rezoning.

In June 2015, Ms. Kang and property owners filed an appeal of the Commission's denial and submitted conceptual project plans illustrating a development that could occur on the site if the requested General Plan amendment and rezoning were to be approved. The conceptual project plans included a total of 70 units and a mix of two-story, detached single-family homes and three-story, attached townhouses, with craftsman-style architecture and living areas ranging between 1,800 and 2,100 square-feet.

The City Council heard the appeal on February 1, 2016. The City Council liked the conceptual project plans presented, but felt that a development agreement, affordable housing agreement, tentative map, and detailed architectural plans should have accompanied the application considered by the Commission. For this reason, the Council voted unanimously to uphold the Commission's decision to deny the revised proposal without prejudice. Since that time, Discovery Builders, Inc. has extended an offer to purchase the site from the current owners with the intent to construct a single-family residential development.

PROJECT DESCRIPTION:

Existing Conditions: The project site includes 4.98 acres of undeveloped, flat land located along the southern side of Central Avenue, between Railroad Lane and Isabel Court. Just under 20% of the site is covered with gravel or concrete pavement left behind from prior development, which included a self-service car wash and a bottling facility operated by the Pepsi Company prior to 1990. The remainder of the site consists of weeds, seasonal grasses, and several trees. Most of the site is unsecured, but there is a chain-link fence around the formerly developed area and another along the southern perimeter of the site. The site has just over 500 feet of frontage on Central Avenue. The frontage is improved with a five-and-half-foot-wide sidewalk, a parking

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lane with 18 designated spaces, a Class II bicycle lane, a vehicle lane in each direction, and a center turning lane.

The site is within a half-mile distance of the Pittsburg Center BART station and a quarter-mile of two bus stops located near the intersections of Railroad Avenue/Central Avenue and Harbor Street/Central Avenue (Tri Delta Transit Routes 381 and 387). Additionally, the site is within a half-mile distance of Marina Vista Elementary School, Pittsburg High School, City Park, John Buckley Square, and the Downtown commercial core.

The project site is bordered to the south by the Union Pacific Railroad (UPRR). Immediately east of the site is St. James Cathedral and multiple single-family subdivisions. To the north, across Central Avenue, there is the Filipino-American Cultural Center and several industrial facilities, including Ramar Foods International and the City's Corporation Yard. The Pentecostals of the Bay Area and Forrest Memorial Church are located immediately west of the site along Railroad Lane (see Map of Surrounding Uses and Site Photos in Attachments 3 and 4).

Proposed Project: The current applicant, Discovery Builders, Inc., proposes to construct a 57-unit, detached, single-family development at the site, similar to the 'Waterstone' subdivision (formerly 'Belle Harbor') which was approved by City Council in June 2016 and is currently under construction. Several approvals are requested for this project. The first is a General Plan map amendment that would change the site's current land use designation from a combination of 'Service Commercial' and 'Low Density Residential' (1 to 7 units/acre) to 'Medium Density Residential' (7 to 14 units/acre) (see Exhibit C of Attachment 1).

The second approval is for a zoning map amendment that would rezone the entire site from a combination of 'CS (Service Commercial) District' and 'RS-5 (Single-Family Residential) District' to 'PD (Planned Development) District'. The PD district would allow for flexible, small lot development. As shown on the PD Plan (see Exhibit D of Attachment 1), the development regulations for the proposed PD district are as follows:

- Min. Lot Size: 2,000 square feet
- Min. Lot Width: 40 feet
- Min. Front Yard (fronting on private motor court): 4 feet
- Min. Corner Side Yard (next to public street): 9 feet
- Min. Corner Side Yard (next to private motor court): 4 feet
- Min. Interior Side Yard: 4 feet
- Min. Rear Yard: 4 feet
- Max. Encroachment into a Required Yard: 1 foot
- Max. Lot Coverage: 60%
- Max. Building Height: 28 ft.

The third approval is for a vesting tentative map (see Project Plans in Attachment 2) that would subdivide the 4.98-acre site into 57 lots. The lot sizes would range from 2,016 to

4,126 square feet, yielding a density of approximately 11.45 units per acre. A single, 36-foot-wide, two-way street (currently referenced on the vesting tentative map as 'Liberty Court') would provide public access into the subdivision. The street would be positioned south of the Central Avenue/Moose Way intersection and would serve seven, 20-foot-wide motor courts, with six to nine lots arranged around each court. The seventh motor court at the end of Liberty Court would include an 11,867-square-foot, pocket park to be maintained by the homeowner's association.

Parking would be prohibited on the motor courts to ensure access for each lot. It should be noted that only 21% of the proposed lots (12 of 57) are designed with driveways deep enough to accommodate parking. However, about 30 curbside spaces would be provided along Liberty Court and Central Avenue. There would also be seven off-street spaces located along Liberty Court and 12 off-street spaces in front of the proposed pocket park.

The fourth approval is for a development agreement (see Exhibit E of Attachment 1) between the City of Pittsburg and Discovery Builders, Inc., establishing the project's affordable housing and other obligations. The proposed agreement would require the developer to: a) build six houses with attached, income-restricted accessory dwelling units (ADUs) to meet the subdivision's inclusionary housing obligation under PMC Chapter 18.86; b) pay fees to finance unmet local and regional traffic improvement needs; c) install a camera surveillance system in the area; d) install basic home security wiring in each dwelling unit; e) annex the project site into the City's Lighting and Landscaping District; f) annex the site into the City's Community Facilities District (CFD) 2007-1 for park maintenance; g) annex the site into the City's CFD 2016-1 for maintenance of off-site stormwater facilities; h) annex the site into the City's CFD 2005-1 for police and other emergency services; and i) annex the site into the City's CFD 2017-1 for fire facilities and fire safety and emergency services.

The fifth approval is for design review of architectural and landscape plans (see Attachment 2). The architectural plans include four, two-story house models with three exterior designs each and 12 total color schemes. The house model designs are characterized by a mixture of hipped and gable-end roofs with concrete tile roofing material; stucco siding and simulated stone veneer or horizontal lap siding; and windows with faux shutters or wrought iron railings. The proposed house models range from 1,846 to 2,477 square feet in total living area. Each model features a two-car garage with two wall-mounted bike racks, four to five bedrooms, two and one-half to three bathrooms (including a master bath and walk-in closet), a family or 'great' room, a 'nook' or dining room, a kitchen with appliances, and a laundry room. As previously stated, ADUs would be built into six of the homes to meet the City's affordable housing requirements. The ADUs would include a living room/bedroom, kitchenette, and bathroom for a total living area of approximately 235 square feet.

The landscape plans include signage, fencing, planting, and irrigation details. Along Central Avenue, the proposed landscape improvements include 13-foot-wide landscaped areas with drought-tolerant shrubs, groundcover, and street trees planted

next to six-foot-high, decorative masonry walls. Two entry signs with the subdivision's name and branding, would be embedded into the masonry walls on each side of Liberty Court. Although the vesting tentative map and landscape plans show otherwise, Discovery Builders has agreed to construct six-foot masonry walls along the entire western, southern, and eastern property lines. A six-foot masonry wall would also be provided between the pocket park and the three adjacent, residential lots to the east. Discovery Builders would like to preserve the existing five-and-half-foot-wide sidewalk along Central Avenue, but City standard specifications require that a ten-foot-wide sidewalk be installed along arterial streets.

Along Liberty Court, landscape improvements would include six-foot-wide sidewalks, similar drought-tolerant plantings, and six-foot-tall redwood fences with a lattice top. Yards along the motor courts would be landscaped, but no sidewalks would be provided. Redwood fences without a lattice top would be provided between each residential lot.

The last approval requested is a tree removal permit. The City's Tree Preservation Ordinance (PMC section 18.84.830) requires replacement of any tree with a circumference of 50 inches or more. There are currently five palm trees on the site that would require replacement. Discovery Builders would comply with the requirements of ordinance by either: a) replacing the trees with 24-inch box trees at a four-to-one ratio; b) replacing them with 15-gallon trees at a 12-to-one ratio; or c) paying an in-lieu fee.

GENERAL PLAN/CODE COMPLIANCE:

General Plan: The project site is in the 'East Central' subarea of the General Plan. The western half of the site (APN Nos. 086-160-009, -011, and -012) is designated 'Service Commercial', with the eastern half (APN No. 086-151-001) designated 'Low Density Residential'. The 'Service Commercial' designation is intended to provide sites for commercial uses with heavy vehicle or truck traffic. It also allows mixed-use development with a maximum floor-to-area-ratio (FAR) of 0.5. The 'Low Density Residential' designation is intended to provide sites for single family development with a density of 1 to 7 units per acre. Although it is consistent with several General Plan goals and policies (see Attachment 5), the proposed project is a single-family development with a density of 11.45 units per acre and is therefore inconsistent with the site's general plan land use designations and associated densities. This issue would be addressed if the City Council were to approve the proposed re-designation of the site to 'Medium Density Residential', which allows residential development at densities between 7 and 14 units per acre.

Zoning: In similar fashion to the land use designations mentioned above, the western half of the site is zoned CS (Service Commercial) and RS-5 (Single Family Residential). These zoning districts are intended implement the General Plan land use designations. Unlike the General Plan however, the zoning provides a maximum residential density for the CS District. PMC section 18.52.120 stipulates that residential development in commercial zoning districts cannot exceed 24.2 units per acre. The maximum density

for the RS-5 District is 8.7 units per acre. Based on these factors, the entire site could accommodate up to 84 units (63 on the western half and 21 on the eastern half).

As proposed, the project would only include 57 units across the site. Although the current zoning allows the number of units proposed, it requires the units on the western half to be incorporated into a multistory, mixed-use development and the units on the eastern half to be built on lots with a minimum size of 5,000 square-feet. Since the project consists of a homogeneous, single family development on smaller lots, Discovery Builders is requesting the site be rezoned to a PD district. Pursuant to PMC section 18.62.010(D), a PD district can be used to provide flexibility when the base zoning regulations are too rigid to allow for unique land uses or site characteristics. The City Council has approved similar PDs for past subdivisions such as 'Vista Del Mar' in the San Marco area, 'Clipper Cove' west of Downtown, and most recently 'Waterstone' across from Pittsburg High School.

Development Agreement: Pursuant to PMC 18.44.020, the City Council adopted procedures and requirements for considering, adopting and reviewing development agreements on November 25, 1996, through Resolution No. 96-8371. Article V, Section A of City Council Resolution No. 96-8371 states that the Commission shall hold a public hearing to consider the application for a development agreement and may make recommendations to the City Council concerning the application.

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. As shown in Attachment 6, the project is substantially consistent with the City's DRDGs, except for DRDG sections 1.l, 2.b through 2.e, 2h, and 6.A.1 through 6.A.3, which encourage: a) enhanced window treatments on building elevations exposed to public view; b) architectural details be extended around the sides of each building; c) decorative masonry walls with pilasters at intervals of 25 feet or less; d) decorative retaining walls; e) screening for utility boxes, transformers, backflow preventers, meters, and junction boxes; f) developers to provide, as part of the options package for homebuyers, an option offering pre-wiring for solar panels; and g) cool roofs for reduction of heat island effect.

Required Finding – General Plan Map Amendment: The California Government Code and PMC identify the Commission as the advisory body to the City Council on amendments to the general plan. In order to recommend City Council adoption of a general plan amendment, the Commission must determine, in accordance with Government Code section 65358, that the amendment would be in the public interest.

Required Findings – Zoning Map Amendment: PMC section 18.16.020 identifies the Commission as the advisory body to the City Council on proposed zoning changes, and requires that the Commission determine, prior to making its recommendation, that:

A. the change proposed is consistent with the objectives, policies, general land uses and programs specified in the General Plan and applicable specific plan;

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B. a community need is demonstrated for the change proposed; and

C. its adoption would be in conformity with public convenience, general welfare and good zoning practice.

Required Findings – Tentative Map: PMC section 17.12.010 identifies the Commission as the advisory body to the City Council on proposed tentative maps when consolidated with one or more applications for other approvals which are subject to final approval by the City Council. In order to recommend City Council approval of a vesting tentative map, the Commission must determine, in accordance with PMC section 17.20.060(c), that:

A. the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provision of PMC;

B. the site is physically suitable for the type of development;

C. the site is physically suitable for the proposed density of development;

D. the design of the subdivision or the proposed improvements would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;

E. the design of the subdivision or the type of improvements would not cause serious public health problems; and

F. the design of the subdivision or the type of improvements would not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Required Findings – Development Agreement: Pursuant to City Council Resolution No. 96-8371, the Commission must make a recommendation on a development agreement prior to City Council consideration. The City Council may adopt the ordinance approving a development agreement if it finds that:

A. the development agreement is consistent with the General Plan and any applicable specific plan; and

B. the development agreement would promote the public health, safety, and general welfare.

Required Findings – Design Review: In order to recommend design review approval to the City Council (pursuant to the direction of PMC 18.36.230), the Commission must determine, in accordance with PMC section 18.36.220.B, that:

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- 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 would 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.

Required Finding – Tree Removal Permit: In order to recommend City Council approval of a tree removal permit, the Commission must determine, in accordance with PMC section 18.84.850.E, that preservation of the protected trees would severely reduce the scale or feasibility of the development.

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 April 11, 2018, a Notice of Intent to Adopt a Mitigated Negative Declaration was distributed to the public for a 20-day review, in accordance with CEQA Guidelines section 15105(b). 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. No comment letters were received prior to the close of the comment period.

Public Notice: On Friday, April 27, 2017, in accordance with Government Code sections 65090 and 65091, and PMC section 18.14.020.B, C and D, a "Notice of Public Hearing," for the May 8, 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.

ANALYSIS:

Planning Commission Staff Report

Staff believes that the Commission can make the required findings to recommend City Council approval of the proposed project. The staff recommended findings are provided as part of the proposed resolution in Attachment 1. In particular, staff believes the proposed General Plan map amendment would be in the public interest, in that the proposed land use change would facilitate quality residential development, promote the reuse and revitalization of a dilapidated site, help the City maintain a compact urban form, and promote a diversity of housing types and densities near the Pittsburg Center BART station. The development would also enhance the visual quality of the area and increase the number of residents within the area that naturally monitor the streetscape and one another, enhancing community safety.

The proposed rezoning would be consistent with the objectives, goals, and policies in the General Plan in that, among other reasons provided as part of the resolution, the project would: a) provide medium intensity, single-family residential near Downtown and in an area accessible to transit and services; b) expand Pittsburg's housing diversity by providing higher-density single-family development on smaller lots; c) promote the development and intensification of the Downtown commercial core as a neighborhood retail center by increasing the demand for retail and other amenities; d) encourage walking as a regular means of transportation due to the site's proximity to various amenities; e) provide a private pocket park that is centrally located and within reasonable walking distance of all homes in the subdivision; f) provide sound walls along the entire site perimeter and upper-floor windows with a sound transmission rating to mitigate noise along Central Avenue and the UPRR; and g) provide at least six single-family homes with ADUs that would allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners.

The design of the proposed subdivision and accompanying improvements would not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat, in that the project would comply with the mitigation measures identified in the Mitigated Negative Declaration. Furthermore, the design of the subdivision and type of improvements proposed would not cause serious public health problems. The project site was used by the Pepsi Bottling Company prior to 1990. The facility included a 1,000-gallon gasoline underground storage tank (UST) that was removed in 1986. According to the San Francisco Regional Water Quality Control Board's (RWQCB) case closure letter dated August 19, 2008, the required remedial activities have been completed and residual hydrocarbons beneath the site do not pose a significant risk to human health.

The proposed development agreement would promote the public health, safety, and general welfare in that it would require the developer to: a) pay fees to finance unmet local and regional traffic improvement needs; b) install a camera surveillance system in the area; c) install basic home security wiring in each dwelling unit; d) annex the project site into the City's Lighting and Landscaping District; e) annex the site into the City's CFD 2007-1 for park maintenance; f) annex the site into the City's CFD 2016-1 for maintenance of off-site stormwater facilities; g) annex the site into the City's CFD 2005-

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1 for police and other emergency services; and h) annex the site into the City's CFD 2017-1 for fire facilities and fire safety and emergency services.

The proposed project would 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, in that the proposed house models would feature an attractive architectural design characterized by a mixture of hipped and gable-end roofs with high-quality, concrete tile roofing material; stucco siding with horizontal trim, corbels, and simulated stone veneer; and a mixture of single-hung and sliding glass windows with faux shutters, or decorative wrought iron railings. The proposed project would also provide an attractive outdoor environment for residents. At the intersection of Central Avenue and Liberty Court, the developer would install two entry signs; a variety of colorful, drought-tolerant landscaping; and a decorative, masonry sound wall with wall caps and simulated stone veneer at each wall pilaster. Residential front yards would feature drought-tolerant plants and blooming street trees that would provide seasonal color throughout the subdivision.

Lastly, the proposed project would substantially conform to the applicable DRDGs for single-family development if conditions are added requiring the developer to: a) provide enhanced window treatments on building elevations exposed to public view; b) extend architectural details around the sides of each building; c) provide decorative masonry walls with pilasters at intervals of 25 feet or less; d) provide decorative retaining walls between lots if they exceed two feet in height; e) provide screening for utility boxes, transformers, backflow preventers, meters, and junction boxes; f) provide, as part of the options package for homebuyers, an option offering pre-wiring for solar panels; and g) provide cool roofs for reduction of heat island effect, consistent with DRDG sections 1.a, 1.i, 2.b through 2.e, 2h, and 6.A.1 through 6.A.3.

ACTION REQUIRED:

Move to adopt Resolution No. 10099, recommending City Council approval of a General Plan map amendment, zoning map amendment, development agreement, vesting tentative map, design review, and tree removal permit for the Liberty Residential Subdivision, Planning Application No. 17-1229, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution 10099
 - a. Exhibit A – Initial Study/Mitigated Negative Declaration
 - b. Exhibit B – Mitigation Monitoring and Reporting Program
 - c. Exhibit C – General Plan Map Amendment
 - d. Exhibit D – PD Plan
 - e. Exhibit E – Development Agreement
 - f. Exhibit F – Conditions of Approval
2. Project Plans
3. Map of Surrounding Uses

Planning Commission Staff Report

4. Photos of Site and Surroundings
5. Applicable General Plan Goals and Policies
6. Development Design Review Guidelines
7. Public Hearing Notice

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

Attachment 1

BEFORE THE PLANNING COMMISSION OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Recommending City Council)
Approval of a General Plan Map)
Amendment, Rezoning, Vesting Tentative)
Subdivision Map, Development)
Agreement, Design Review, and Tree) Resolution No. 10099
Removal Permit for a 57-Unit, Single-)
Family Residential Subdivision at 350)
Central Avenue, for “Liberty Residential)
Subdivision, AP-17-1229 (GP, RZ, SUBD,)
DA, DR, TRP).”)

The Planning Commission DOES RESOLVE as follows:

Section 1. Background

- A. On February 22, 2017, Kevin English of Discovery Homes, Inc., filed Planning Application No. AP-17-1229, requesting approval of: 1) a General Plan map amendment changing the project site's land use designation from a combination of 'Service Commercial' and 'Low Density Residential' (1 to 7 d.u./ac) to 'Medium Density Residential' (7 to 14 d.u./ac); 2) a zoning map amendment rezoning the site from a combination of 'CS (Service Commercial) District' and 'RS-5 (Single-Family Residential) District' to 'PD (Planned Development) District'; 3) a vesting tentative map subdividing the 4.98-acre site into 57 lots for detached single-family homes; 4) a development agreement establishing the project's affordable housing and other obligations; 5) design review of architectural and landscape plans; and 6) a tree removal permit allowing the removal of five protected trees. The project site is located at 350 Central Avenue. Assessor's Parcel Nos. 086-160-009, -011, -012, and 086-151-001.
- B. The proposed project is governed by the applicable goals and policies of the Pittsburg General Plan and the Pittsburg Municipal Code (PMC).
- C. Pursuant to PMC section 17.16.100, an applicant may request that two or more applications for separate discretionary approvals, including zoning amendments under Title 18 of this Code, requested or required in conjunction with a project be consolidated.
- D. Under Government Code section 65358, the legislative body of a local government agency may amend its general plan, in whole or in part, if it finds that the amendment would be in the public interest. No more than four general plan amendments to each required element may be adopted within one calendar year.

In this calendar year so far, the City Council has not adopted any amendments to the General Plan Land Use Element.

- E. The California Government Code and PMC identify the Planning Commission as the advisory body to the City Council on amendments to the general plan. Government Code section 65353(a) requires that the Commission conduct at least one public hearing prior to making its recommendation on a proposed general plan amendment.
- F. PMC section 18.16.020 identifies the Planning Commission as the advisory body to the City Council on proposed zoning changes, and requires that the Commission determine, prior to making its recommendation, that:
 - 1. the change proposed is consistent with the objectives, policies, general land uses and programs specified in the General Plan and applicable specific plan;
 - 2. a community need is demonstrated for the change proposed; and
 - 3. its adoption will be in conformity with public convenience, general welfare and good zoning practice.
- G. Pursuant to City Council Resolution No. 96-8371, the Planning Commission must make a recommendation on a development agreement prior to City Council consideration. The City Council may adopt the ordinance approving a development agreement if it finds that:
 - 1. the development agreement is consistent with the General Plan and any applicable specific plan; and
 - 2. the development agreement will promote the public health, safety, and general welfare.
- H. PMC section 17.12.010 identifies the Planning Commission as the advisory body to the City Council on proposed tentative maps when consolidated with one or more applications for other approvals which are subject to final approval by the City Council. In order to recommend City Council approval of a vesting tentative map, the Commission must determine, in accordance with PMC section 17.20.060(c), that:
 - 1. the proposed map is consistent with the general plan and any applicable specific plan, or other applicable provision of PMC;
 - 2. the site is physically suitable for the type of development;
 - 3. the site is physically suitable for the proposed density of development;

4. the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
 5. the design of the subdivision or the type of improvements will not cause serious public health problems; and
 6. the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
- I. Pursuant to PMC section 18.36.230, the Planning Commission shall discuss the application for design review approval and integrate it with the land use approval process applicable to the project. In order to recommend design review approval (pursuant to the direction of PMC 18.36.230), the 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.
- J. In order to recommend City Council approval of a tree removal permit, the Commission must determine, in accordance with PMC section 18.84.850.E, that preservation of the protected trees would severely reduce the scale or feasibility of the development.
- K. 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.

- L. On April 11, 2018, a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) was distributed to the public for a 20-day review, in accordance with CEQA Guidelines section 15105(b). 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.
- M. On Friday, April 27, 2017, in accordance with Government Code sections 65090 and 65091, and PMC section 18.14.020.B, C and D, a "Notice of Public Hearing," for the May 8, 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.
- N. On May 8, 2018, the Planning Commission held a public hearing on Planning Application No. AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP), at which time additional oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Planning Commission staff report entitled, "Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)," dated May 8, 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 Planning Commission finds that:
 - 1. All recitals above are true and correct and are incorporated herein by reference.
 - 2. The Initial Study and draft Mitigated Negative Declaration for the project were prepared in compliance with Public Resources Code section 21000 et seq. and the Planning Commission has independently reviewed and considered the information contained therein.

General Plan:

- 3. The proposed amendments to the General Plan are in the public interest, in that the proposed land use change will facilitate quality residential development, promote the reuse and revitalization of a dilapidated site, help the City maintain a compact urban form, and promote a diversity of housing types and densities near the Pittsburg Center BART Station. The

development will also enhance the visual quality of the area and increase the number of residents within the area that naturally monitor the streetscape and one another, enhancing community safety.

Rezoning:

4. The proposed rezoning is consistent with the objectives, policies, general land uses and programs specified in the General Plan in that:
 - a. The project will be developed on an infill site, thereby helping the City maintain a compact urban (Goal 2-G-1).
 - b. The project will provide medium intensity single-family residential near the Downtown and in an area accessible to transit and services (Goal 2-G-4 and 3-G-3). The project site is within a half-mile distance of the Pittsburg Center BART Station and a quarter-mile of two bus stops located near the intersections of Railroad Avenue/Central Avenue and Harbor Street/Central Avenue (Tri Delta Transit Routes 381 and 387).
 - c. The project will expand Pittsburg's housing diversity by providing higher-density single-family development on smaller lots ranging from approximately 2,000 to 4,200 square feet (Goal 2-G-5 and Housing Goal G-1).
 - d. The project will utilize a Planned Development (PD) zoning, in part, to achieve a high-quality design outcome (Policy 2-P-5).
 - e. The project will provide an 11,724-square-foot pocket park as a community amenity within the planned development (Policy 2-P-6).
 - f. The project will pay its share of the costs for the construction of facilities needed to serve the development (Policy 3-P-1, 3-P-13, and 7-P-2). It will comply with conditions of approval requiring payment of the Facilities Reserve Charge, Local Traffic Mitigation Fee (LTMF), and Regional Transportation Development Impact Mitigation Fee (RT-DIM) in accordance with the Pittsburg Municipal Code.
 - g. The project will be built in an area where public facilities and infrastructure are already available (Policy 3-P-1).
 - h. The existing transportation system has adequate capacity to accommodate the proposed development (Policy 3-P-2). Residents of the proposed development will have multiple transportation options available to them as the site is located near BART, Tri-

Delta Transit, and bicycle lanes.

- i. The developer was not required to prepare a traffic impact study because the project is expected to generate under 100 net new peak hour trips (Policy 3-P-5).
- j. The project will provide safe and contiguous routes for pedestrians and bicyclists (Policy 3-P-17, 7-P-34, and 7-P-40). There is an existing Class II bicycle lane along Central Avenue and the project will comply with conditions of approval requiring that the sidewalk along the Central Avenue frontage be replaced with a new ten-foot-wide pathway.
- k. The project focuses higher-density residential on a site that has been designated as a Priority Development Area under the Metropolitan Transportation Commission and Association of Bay Area Government's FOCUS Program (Policy 3-P-18 and Housing Policy P-1.1 D).
- l. The project will promote the development and intensification of the Downtown commercial core as neighborhood retail center by increasing the demand for retail and other amenities (Goal 5-G-2).
- m. The project will encourage walking as a regular means of transportation due to the site's proximity to various amenities (Goal 7-G-15). The project site is within a half-mile distance of Marina Vista Elementary School, Pittsburg High School, City Park, John Buckley Square, the Pittsburg Center BART Station, and the Downtown commercial core.
- n. The project will provide bicycle racks in each garage for secure bicycle parking (Policy 7-P-45).
- o. The project will comply with the development agreement requiring the developer pay an In-Lieu Parkland Dedication Fee in accordance with PMC section 17.32.020.D.2 (Policy 8-P-1, 8-P-5, and 8-P-16).
- p. The project will provide a private pocket park that is centrally located and within reasonable walking distance of all homes in the subdivision (Policy 8-P-2).
- q. The developer was not encouraged to dedicate a public park because the proposed development includes less than 150 units (Policy 8-P-16).

- r. The project will comply with mitigation measures and conditions of approval requiring implementation of a Storm Water Control Plan in compliance with the requirements set forth in the City's most current NPDES permit. Post construction BMPs will be installed throughout the subdivision and an Operations and Maintenance Agreement will be executed by the City and developer for the perpetual maintenance of those BMPs (Goal 9-G-7, Policy 9-P-22, Goal 10-G-8, Policy 10-P-24 and 10-P-30).
- s. The project will equitably share the costs associated with providing water and wastewater services to the subdivision through payment of the Pittsburgh Facilities Reserve Charge (Policy 11-P-7 and 11-P-18).
- t. The project will provide sound walls along the entire site perimeter and will also comply with mitigation measures requiring upper-floor windows of residences adjacent to Central Avenue (homes on Lots 1-4 and 54-57) and the UPRR tracks (homes on Lots 24-23) to be upgraded to a Sound Transmission Class (STC) rating of 32. The proposed sound walls and upper-story windows will help ensure interior noise levels do not exceed 45 dB CNEL (Policy 12-P-6).
- u. The project site being rezoned is vacant, underutilized, and deemed appropriate for higher-density residential use given its proximity to schools, parks, transit, and commercial amenities (Housing Element Policy P-1.1 B).
- v. The project will provide market-rate housing near in the Downtown and increase demand for economic activity in nearby shopping centers (Housing Policy P-1.2).
- w. Pursuant to the proposed development agreement, the project will provide at least six single-family homes with accessory dwelling units that would allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners (Housing Policy P-1.5).
- x. The project will help attain the City's Regional Housing Needs Allocation for moderate and above-moderate income households (Policy P-1.6).
- y. The project will comply with conditions of approval requiring construction of quality home designs to ensure future residents will enjoy an attractive living environment (Housing Goal G-5 and Policy P-5.1).

5. There is a community need for the proposed zoning change, in that the amendment will facilitate occupancy of a long-standing vacant site in accordance with the City's housing goals calling for development of a variety of housing types, densities, and prices to balance the City's housing stock and to meet Pittsburgh's regional fair share housing needs for people of all income levels. Providing 57 small-lot, market-rate residential units along with six income-restricted accessory units at the site will provide diverse housing options for residents and create an opportunity for more residents to utilize the Pittsburgh Center BART Station and other public transit opportunities.
6. The proposed zoning amendment will be in conformity with public convenience, general welfare, and good zoning practice, in that the amendment will facilitate development of a long-standing vacant site, which could help to eradicate existing problems that come with vacant sites, such as illegal dumping and loitering. Additionally, the proposed project will add additional residents to the area who may frequent the established and potential commercial uses envisioned along Railroad Avenue. In addition, the site's proximity to both the Pittsburgh Center BART Station and two existing bus routes presents an opportunity for more residents to utilize public transit opportunities.

Subdivision:

7. The proposed vesting tentative subdivision map is consistent with the proposed General Plan land use designation of Medium Density Residential, as described in Section 2.A.4 above.
8. The project site is physically suitable for the type of development proposed in that the site is flat, vacant, and surrounded by existing infrastructure, minimizing the amount of work and investment needed to extend utilities and services to the site.
9. The project site is physically suitable for the proposed density of development, in that the site is flat, vacant, and surrounded by existing, established development. Further, the site is located within one-half mile of the Pittsburgh Center BART Station, and less than a quarter-mile from two existing bus routes, making it an appropriate location for a medium-density residential development, as defined by the City's General Plan.
10. The design of the proposed subdivision and accompanying improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat, in that the project will comply with the mitigation measures identified in the Mitigated Negative Declaration.

11. The design of the subdivision and type of improvements proposed will not cause serious public health problems. The project site was used by the Pepsi Bottling Company prior to 1990. The facility included a 1,000-gallon gasoline underground storage tank (UST) that was removed in 1986. According to the San Francisco Regional Water Quality Control Board's (RWQCB) case closure letter dated August 19, 2008, the required remedial activities have been completed and residual hydrocarbons beneath the site do not pose a significant risk to human health.
12. The design of the subdivision and type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision, in that there are no existing public access easements on the site. The proposed map does include a new public street that will connect the development to existing public roadways, and the new street will be of sufficient width to accommodate automobile and emergency vehicle access into and around the site.

Development Agreement:

13. The proposed development agreement is consistent with the General Plan, specifically Housing Element Policy P-1.5, in that it will require the construction of six accessory dwelling units which will allow extended families to live near each other, increase the City's affordable housing stock, and provide opportunities for homeowners to generate additional income, and General Plan policies 8-P-1, 8-P-2, 8-P-11, in that it requires payment of fees to help the City meet its park and recreation facility standards.
14. The proposed development agreement will promote the public health, safety, and general welfare in that it requires the developer to: a) pay fees to finance unmet local and regional traffic improvement needs; b) install a camera surveillance system in the area; c) install basic home security wiring in each dwelling unit; d) annex the project site into the City's Lighting and Landscaping District; e) annex the site into the City's Community Facilities District (CFD) 2007-1 for park maintenance; f) annex the site into the City's CFD 2016-1 for maintenance of off-site stormwater facilities; g) annex the site into the City's CFD 2005-1 for police and other emergency services; and h) annex the site into the City's CFD 2017-1 for fire facilities and fire safety and emergency services.

Design Review:

15. The proposed project conforms with good taste, good design and in general contributes to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high

quality, in that the proposed house models feature an attractive architectural design characterized by a mixture of hipped and gable-end roofs with high-quality, concrete tile roofing material; stucco siding with horizontal trim, corbels, and simulated stone veneer; and a mixture of single-hung and sliding glass windows with faux shutters, or decorative wrought iron railings. The proposed project will also provide an attractive outdoor environment for residents. At the intersection of Central Avenue and Liberty Court, the developer will install two entry signs; a variety of colorful, drought-tolerant landscaping; and a decorative, masonry sound wall with wall caps and simulated stone veneer at each wall pilaster. Residential front yards will feature drought-tolerant plants and blooming street trees that will provide seasonal color throughout the subdivision.

16. The proposed project will be protected against exterior and interior noise, vibrations and other factors which may tend to make the environment less desirable, in that the project will be built to standard building codes that dictate maximum noise levels for the interiors of residential units.
17. The exterior design of the proposed project is not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value. Rather, the proposed project will enhance the neighborhood's appearance and value, in that it will result in a highly attractive environment utilizing a variety of compatible house and front yard landscape designs. The Liberty Residential Subdivision will add value to the community by attracting additional residential and commercial investment in the area.
18. The proposed project is in harmony with proposed developments on land in the general area, in that there are no proposed developments in the immediate vicinity of the project site.
19. The proposed project will substantially conform to the applicable Development Review Design Guidelines (DRDG, Planning Commission Resolution No. 9864) for single-family development if conditions are added requiring the developer to: a) provide enhanced window treatments on building elevations exposed to public view; b) extend architectural details around the sides of each building; c) provide decorative masonry walls with pilasters at intervals of 25 feet or less; d) provide decorative retaining walls between lots if they exceed two feet in height; e) provide screening for utility boxes, transformers, backflow preventers, meters, and junction boxes; f) provide, as part of the options package for homebuyers, an option offering pre-wiring for solar panels; and g) provide cool roofs for reduction of heat island effect, consistent with DRDG sections 1.a, 1.l, 2.b through 2.e, 2h, and 6.A.1 through 6.A.3.

Tree Removal Permit:

20. The preservation of the five protected palm trees will reduce the feasibility of the development, in that the palms are in areas that would be affected by grading and construction activities. Furthermore, the trees are not considered part of an important grove, do not have historical value, and do not contribute to the character of the site and the neighborhood.
- B. The Staff Report entitled, "Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)," dated May 8, 2018, is referenced hereto as additional support for findings.

Section 3. Decision

Based on the findings and the authority set forth above, the Planning Commission hereby recommends that the City Council adopt an ordinance and resolution to:

- A. Approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program contained in Exhibits A and B of this resolution;
- B. Amend General Plan Figure 2-2 (Land Use Diagram) to change the land use designation of the properties described in section 1.A above, from a combination of 'Service Commercial' and 'Low Density Residential' to 'Medium Density Residential' as substantially presented in Exhibit C of this resolution;
- C. Modify other Land Use Element tables and charts as necessary to reflect the change in land use acreages and maintain internal consistency with the General Plan document;
- D. Amend the Zoning Map, as referenced in Pittsburg Municipal Code, Title 18 (Zoning Ordinance) section 18.04.020, to change the zoning of the properties described in section 1.A above, from a combination of 'CS' and 'RS-5' Districts to 'PD' District and adopting specific land use and development regulations as substantially presented in Exhibit D of this resolution;
- E. Approve a development agreement as substantially presented in Exhibit E of this resolution;
- F. Approve Vesting Tentative Map 9453 subdividing the properties described in section 1.A above into 57 lots for detached single-family homes, subject to the conditions as substantially presented in Exhibit F of this resolution.
- G. Approve design review of the accompanying architectural and landscape plans, subject to the conditions as substantially presented in Exhibit F of this resolution; and
- H. Approve a tree removal permit allowing the removal of five protected trees.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

On motion by Commissioner _____, seconded by Commissioner _____, the foregoing resolution was passed and adopted the 8th day of May, 2018, 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. 10099 was adopted by the Planning Commission of the City of Pittsburg on May 8, 2018.

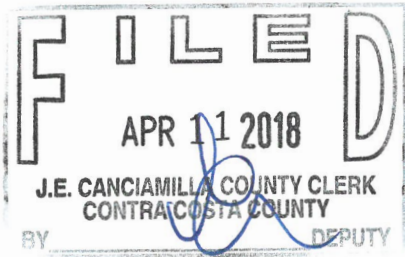
JORDAN DAVIS, AICP, ACTING SECRETARY
PITTSBURG PLANNING COMMISSION



City of Pittsburg

Community Development Department – Planning Division

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



NOTICE OF INTENT TO CONSIDER ADOPTION OF A MITIGATED NEGATIVE DECLARATION

County Clerk Please Stamp Here

Project Name: Liberty Residential Subdivision
Application No(s): AP-17-1229 (GP, PUD, SUBD, DR, DA)
Date: April 11, 2018

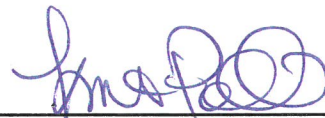
Notice is hereby given that the City of Pittsburg finds that no significant effect on the environment, as prescribed by the California Environmental Quality Act of 1970 (CEQA), as amended, will occur for the following proposed project:

1. Project Proponent: Kevin English on behalf of Discovery Builders, Inc., 4061 Port Chicago Highway, Suite H, Concord, CA 94520
2. Project Description: Discovery Builders, Inc. proposes to construct a 57-unit, single-family development on a 4.98-acre infill site. The requested approvals include: 1) a General Plan map amendment to change the site's land use designation to 'Medium Density Residential'; 2) a zoning map amendment to rezone the site to 'Planned Development District (PD)'; 3) a development agreement; 4) a vesting tentative map to subdivide the property; and 5) design review of landscape and architectural plans.
3. Project Location: The project site is located at 350 Central Avenue in the CS (Service Commercial) and RS-5 (Single-Family Residential) districts. Assessor's Parcel Nos. 086-160-009, -011, -012, and 086-151-001.
4. Findings: The Initial Study prepared for the project identified potentially significant impacts in the following categories: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hydrology and Water Quality, Noise, Public Services, and Transportation/Traffic. Mitigation measures have been identified to reduce each of the potentially significant impacts to a less-than-significant level.

All other impacts in the categories of Agriculture and Forest Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use Planning, Mineral Resources, Population and Housing, Recreation, and Utilities/Service Systems. were found to be less than significant. Based on the Initial Study, the Planning Manager has determined that preparation of a Mitigated Negative Declaration is appropriate for the project described above.

6. Initial Study: The Initial Study/Mitigated Negative Declaration (IS/MND) and project plans may be reviewed during normal business hours at the City of Pittsburg Planning Division, located at 65 Civic Avenue, Pittsburg, CA 94565, or on the City's website via the Environmental Review page at <http://www.ci.pittsburg.ca.us/index.aspx?page=217>. Background and reference materials related to the IS/MND can be reviewed upon request to the City of Pittsburg Planning Division.
7. Public Review: The 20-day public review and comment period for this environmental determination will begin on Wednesday, April 11, 2018. Anyone who wishes to comment on the findings of this environmental analysis must submit these comments in writing to Hector J. Rojas, AICP, Senior Planner at the address noted above, by email to hrojas@ci.pittsburg.ca.us, or by fax to (925) 252-4043. **Comments must be received by 5:00 p.m. on Tuesday, May 1, 2018.**
8. Notice of Intent to Adopt a Mitigated Negative Declaration: Notice is hereby given that the Pittsburg Planning Commission is tentatively scheduled to consider a recommendation on the project to the City Council at a public hearing scheduled for May 8, 2018, at 7:00 p.m., in the third floor Council Chamber at 65 Civic Avenue in Pittsburg.

This proposed Mitigated Negative Declaration does not signify approval or disapproval of this project by City decision-making bodies. The Planning Commission and City Council will consider the proposed Mitigated Negative Declaration together with any comments received during the public review process to determine whether the project will have a significant impact on the environment.



Kristin Pollot, AICP
Planning Manager



INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND)

Liberty Residential Subdivision

Prepared by:
City of Pittsburg | Planning Division
65 Civic Avenue
Pittsburg, CA. 94565

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INTRODUCTION:

The City of Pittsburg prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to evaluate the potential environmental impacts of the Liberty Residential Subdivision Project. The proposed project site is located on 4.98 acres of land within the City of Pittsburg at 350 Central Avenue.

The parcels are identified as Assessor's Parcel Numbers (APNs) 086-160-009, -011, -012, and 086-151-001. In addition to this IS/MND, consideration of the following discretionary actions by the City is required for the proposed project:

- General Plan Amendment
- Rezoning
- Vesting Tentative Map
- Design Review
- Development Agreement
- Tree Removal Permit

This IS/MND identifies potentially significant environmental impacts for the following environmental areas:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Geology and Soils;
- Hydrology and Water Quality;
- Noise;
- Public Services;
- Transportation/Traffic; and
- Utilities/Service Systems.

The environmental analysis determined that measures are available to mitigate potential adverse impacts to less than significant levels. As a result, this document serves as a mitigated negative declaration, pursuant to Public Resources Code Sections 21064.5 and 21080(c) and Article 6 of the California Environmental Quality Act (CEQA) Guidelines.

All the technical reports and modeling results prepared for the project analysis are available upon request at the City of Pittsburg Planning Division, located at 65 Civic Avenue, Pittsburg, California, 94565.

GENERAL INFORMATION:

1. Project Title and File Number:

Liberty Residential Subdivision, AP-17-1229 (GP, PUD, SUBD, DR, PPR, DA)

2. Lead Agency:

City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565
Tel: (925) 252-4920

3. Contact Person:

Hector Rojas, AICP, Senior Planner
Tel: (925) 252-4043
Email: hrojas@ci.pittsburg.ca.us

4. Project Location:

350 Central Avenue, Pittsburg, Contra Costa County, California, 94565

5. Project Applicant:

Kevin English
Discovery Builders, Inc.,
4061 Port Chicago Highway, Suite H
Concord, California 94520

6. General Plan Designation (Existing):

Service Commercial and Low Density Residential

7. Zoning (Existing):

Service Commercial (CS) and Single-Family Residential (RS-5)

PROJECT DESCRIPTION:

Discovery Builders, Inc. (Applicant) proposes to construct a 57-unit, single-family development (Project) in the City of Pittsburgh (City) on a 4.98-acre undeveloped lot located along the south side of Central Avenue, between Railroad Lane and Isabel Court. The entire Project site was previously developed with urban uses including a car wash and beverage bottling facility.

In order to construct this development, the Applicant requests City Council approval of the following:

1. a General Plan map amendment to change the site's land use designation from a combination of 'Service Commercial' and 'Low Density Residential' (1 to 7 d.u./ac) to 'Medium Density Residential' (7 to 14 d.u./ac);
2. a zoning map amendment to rezone the site from a combination of 'Service Commercial District (CS)' and 'Single-Family Residential District (RS-5)' to 'Planned Development District (PD)';
3. a vesting tentative map to subdivide the 4.98-acre site into 57 lots for detached single-family homes;
4. design review of landscape and architectural plans; and
5. a development agreement; and
6. an affordable housing agreement.

Lot sizes are proposed to range from 2,016 to 4,126 square feet, yielding a density of approximately 11.45 units per gross acre. The subdivision would utilize a single, 36-foot-wide street for public access from Central Avenue at the intersection of Moose Way. This street would feed six motor courts, each with six to nine homes. In addition to the motor courts, an 11,724 square-foot park is located at the southeast corner of the site. Along Central Avenue, the applicant would widen the existing sidewalk to 10 feet and install a landscape area in front of an eight-foot-tall masonry wall that would separate Central Avenue from adjacent rear yards. Masonry walls would also be installed along the eastern, southern, and western property boundaries. None of the houses would face Central Avenue.

The submitted architectural plans include four, two-story house models with three exterior designs each and twelve total color schemes. The house model designs are characterized by a mixture of hipped and gable-end roofs with concrete tile roofing material; stucco siding and simulated stone veneer or horizontal lap siding; and windows with faux shutters, wrought iron railings, or window planter boxes. The

proposed house models range from 1,846 to 2,477 square feet in total living area. Each model features a two-car garage with two wall-mounted bike racks, four bedrooms, two and one-half bathrooms (including a master bath and walk-in closet), a family or 'great' room, a 'nook' or dining room, a kitchen with appliances, and a laundry room.

To meet the affordable housing obligation for the project, the developer intends to enter into a development agreement that would require the construction of six houses with attached, income-restricted, accessory dwelling units. The accessory units would be incorporated into the Plan 2 (2477) house model. They would include a living room/bedroom, kitchenette, and bathroom for an approximate living area of 234 square feet. Homeowners would have the option of using the accessory units to house their extended families or leasing them to other tenants at an affordable rent to be defined in the development agreement.

SITE DESCRIPTION AND SURROUNDING LAND USES:

The Project site includes 4.98 acres of undeveloped, flat land located along the south side of Central Avenue, between Railroad Lane and Isabel Court. The parcels are identified as Assessor's Parcel Numbers (APNs) 086-160-009, -011, -012, and 086-151-001. The site has just over 500 feet of frontage on Central Avenue. While a majority of the site consists of weeds and seasonal grasses, there is an approximately 0.25-acre area covered with gravel and an approximately 0.50-acre area covered with old cracked concrete at the former site of a self-service car wash.

The Project site is bounded by the Union Pacific Railroad (UPRR) tracks to the south, with a single-family residential neighborhood just beyond the UPRR tracks; Central Avenue to the north with several commercial establishments beyond, including Ramar Foods International and the Filipino-American Cultural Center; a religious assembly facility to the east with a single-family residential neighborhood beyond; and a religious assembly facility to the west established in the former Vogue Theatre.

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 |

DETERMINATION:

On the basis of this initial evaluation:

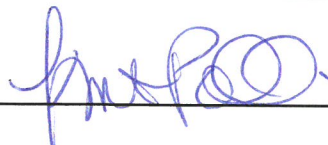
- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions 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: Christine Gregory, Contract Planner



Signature (Hector Rojas for Christine Gregory) 4/11/18
Date

Reviewed By: Kristin Pollot, AICP, Planning Manager



Signature 4/11/18
Date

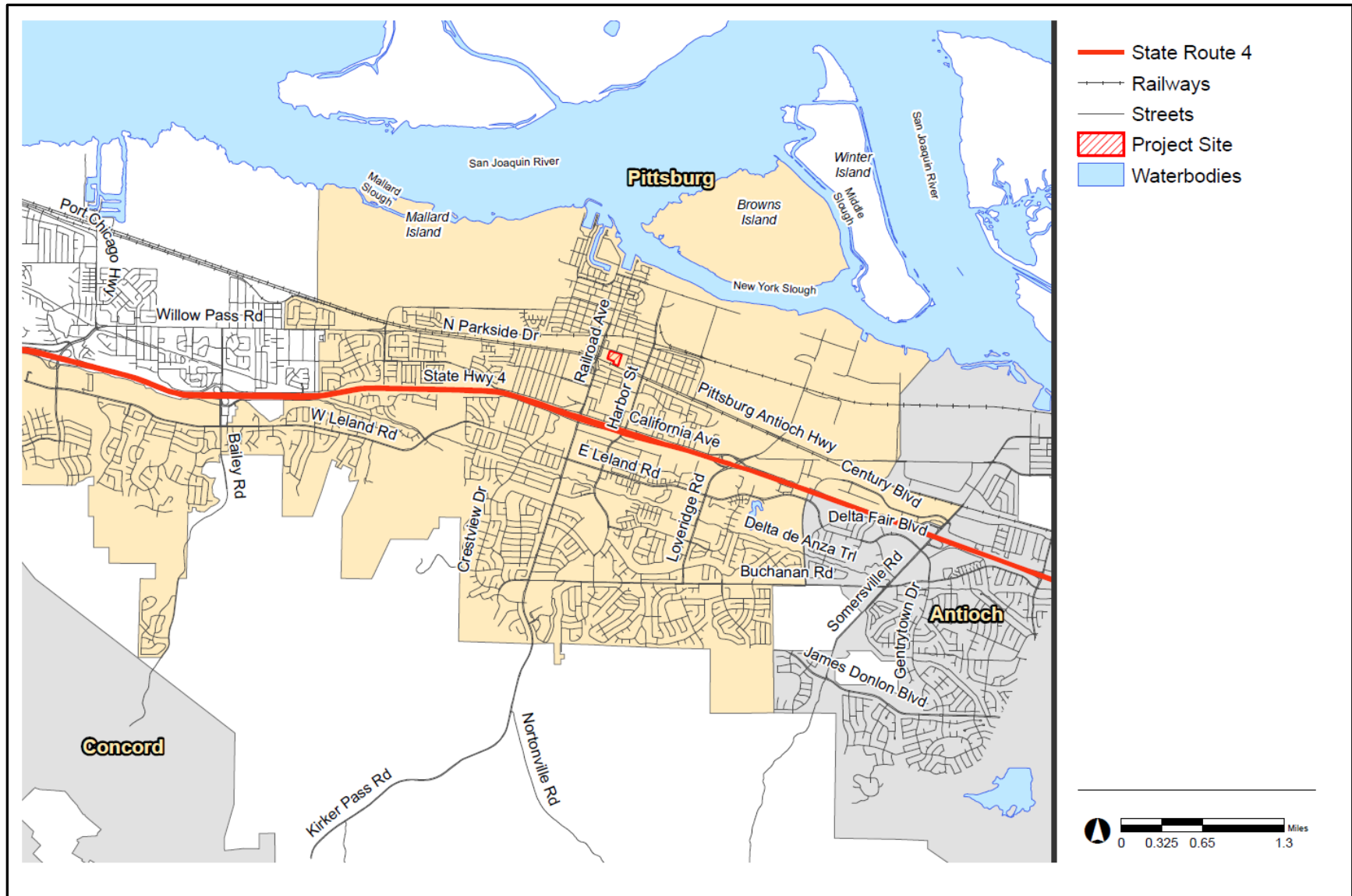


Figure 1 Location Map

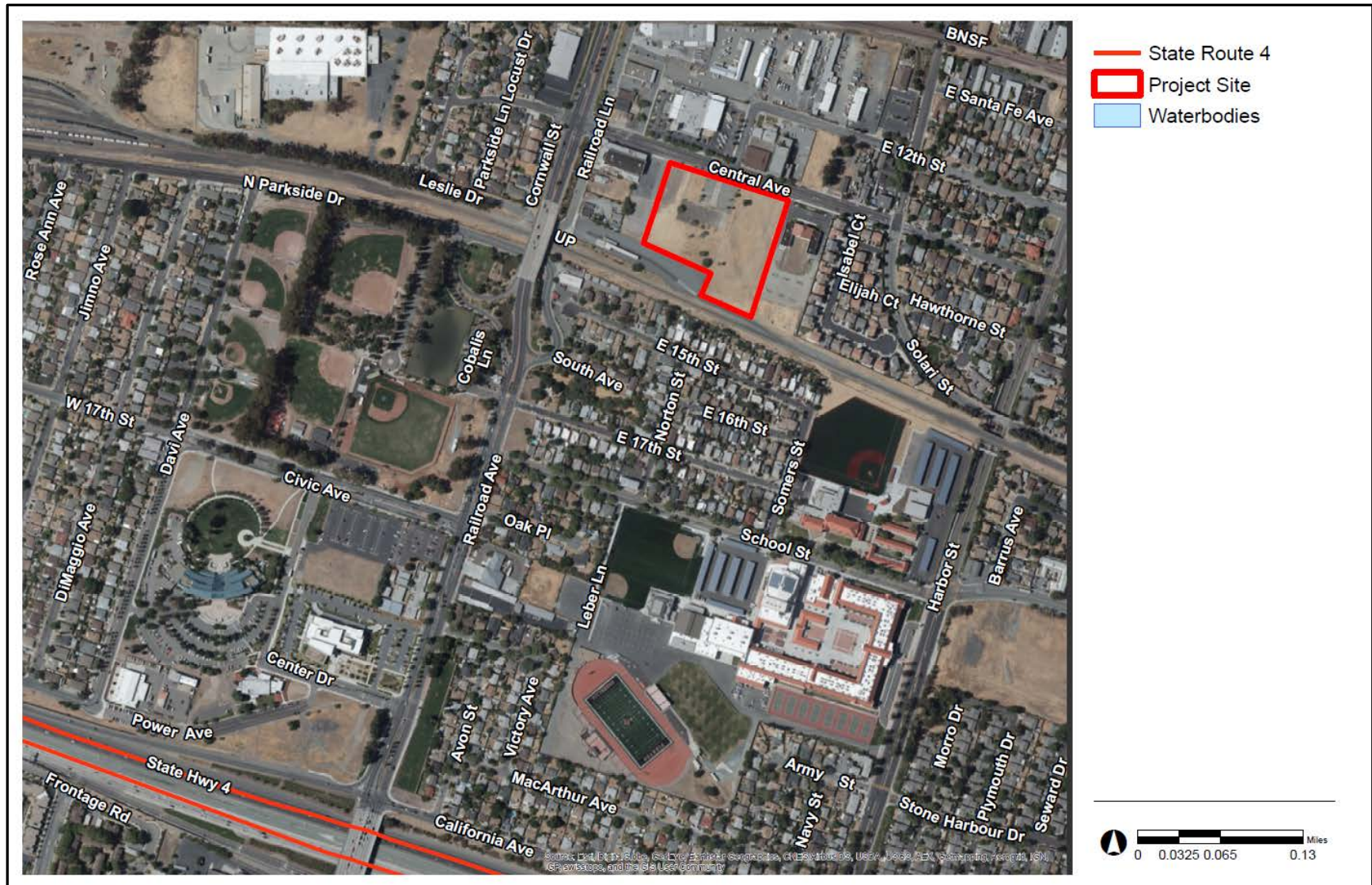


Figure 2 Aerial Map

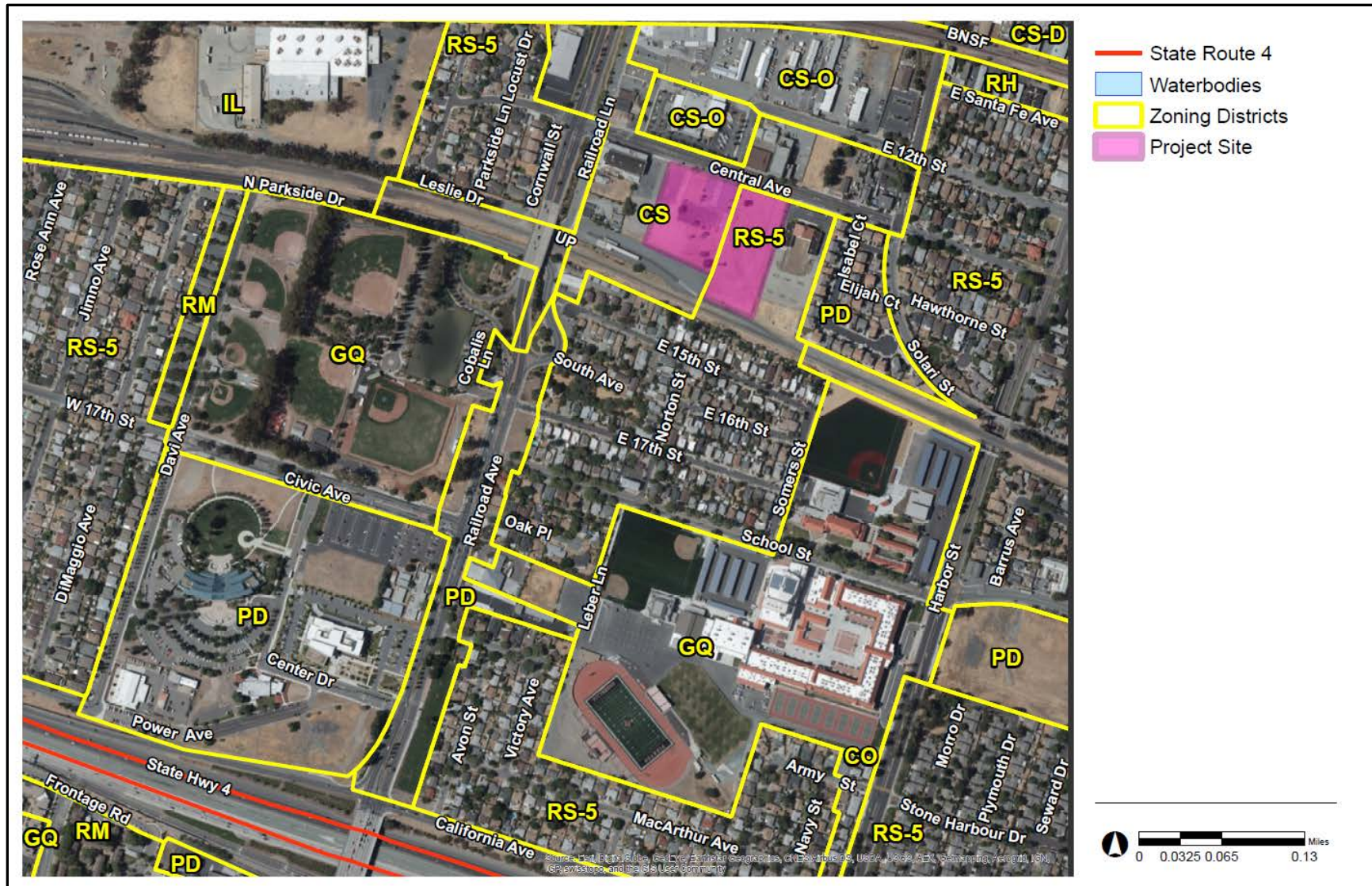


Figure 3 Existing Zoning

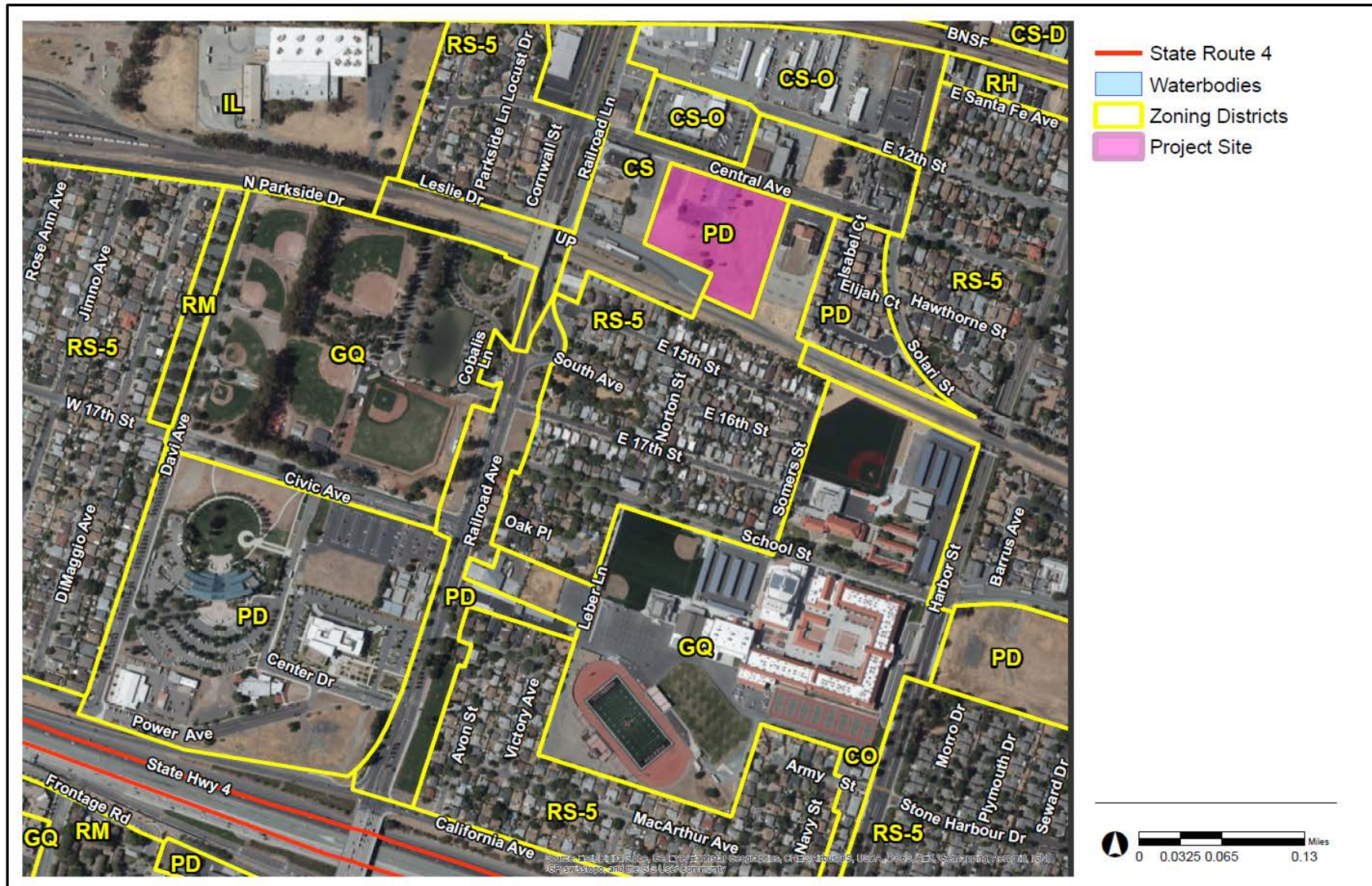


Figure 4 Proposed Zoning

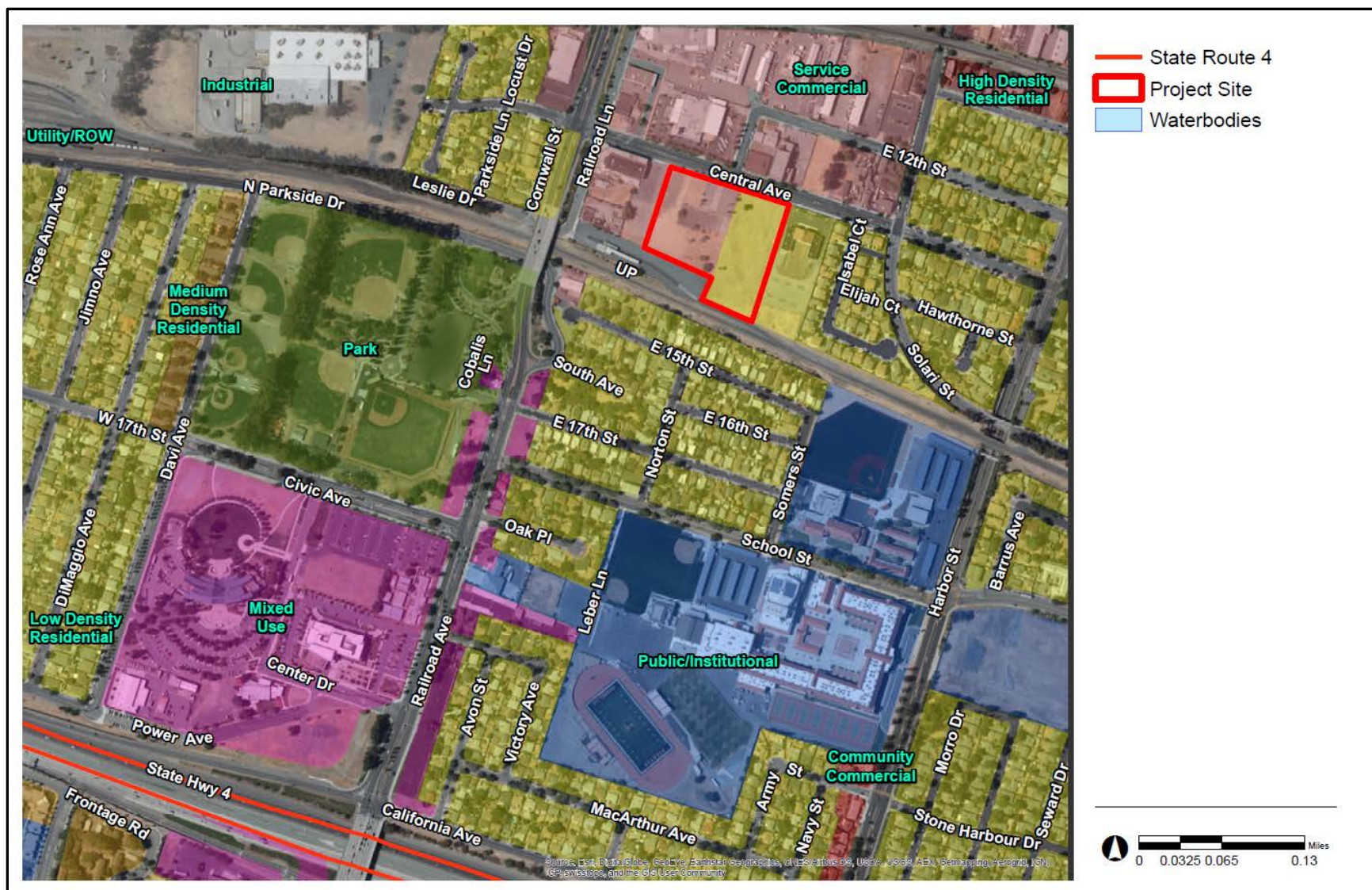


Figure 5 Current General Plan Land Use Designations

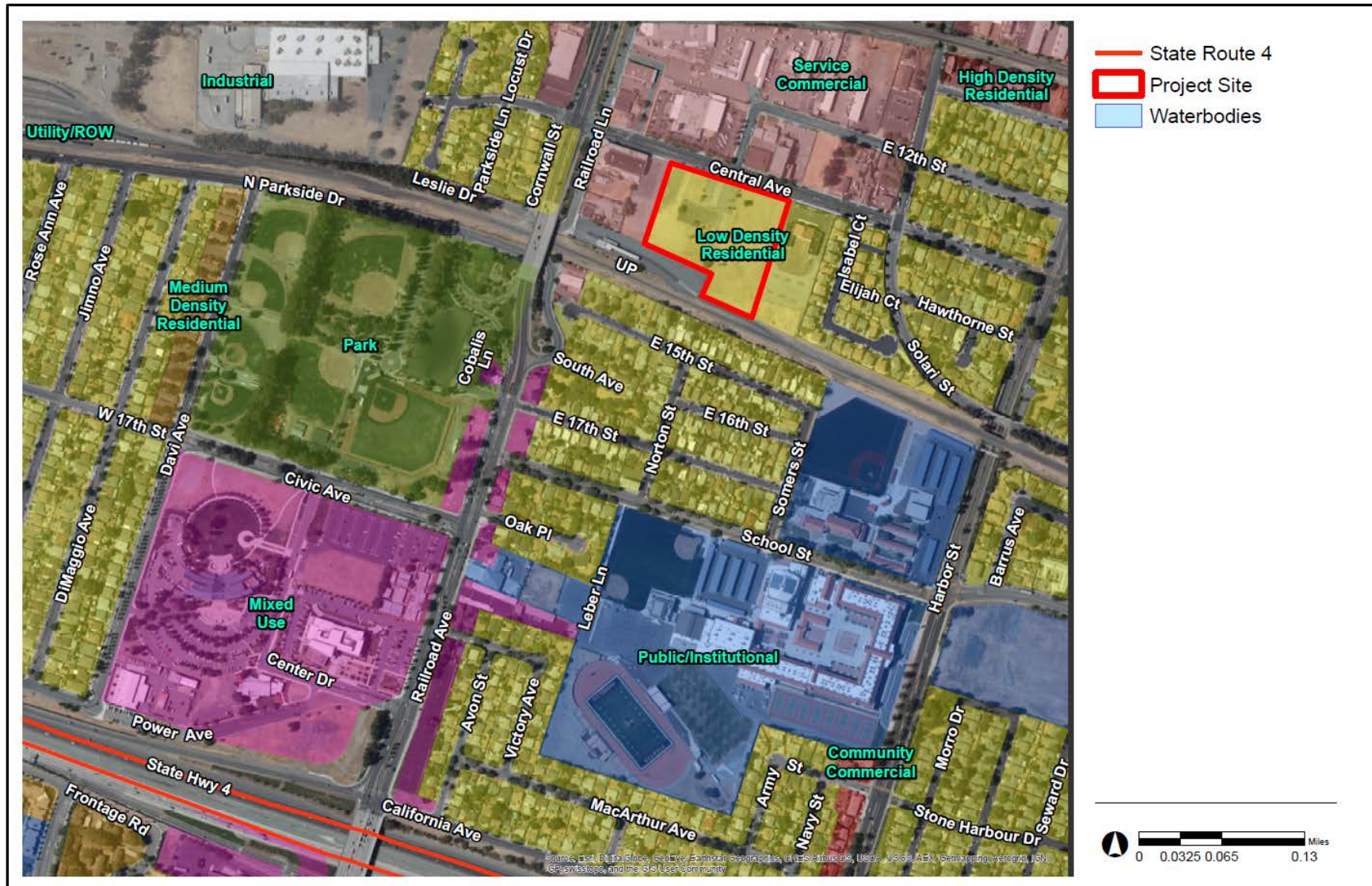


Figure 6 Proposed General Plan Land Use Designation

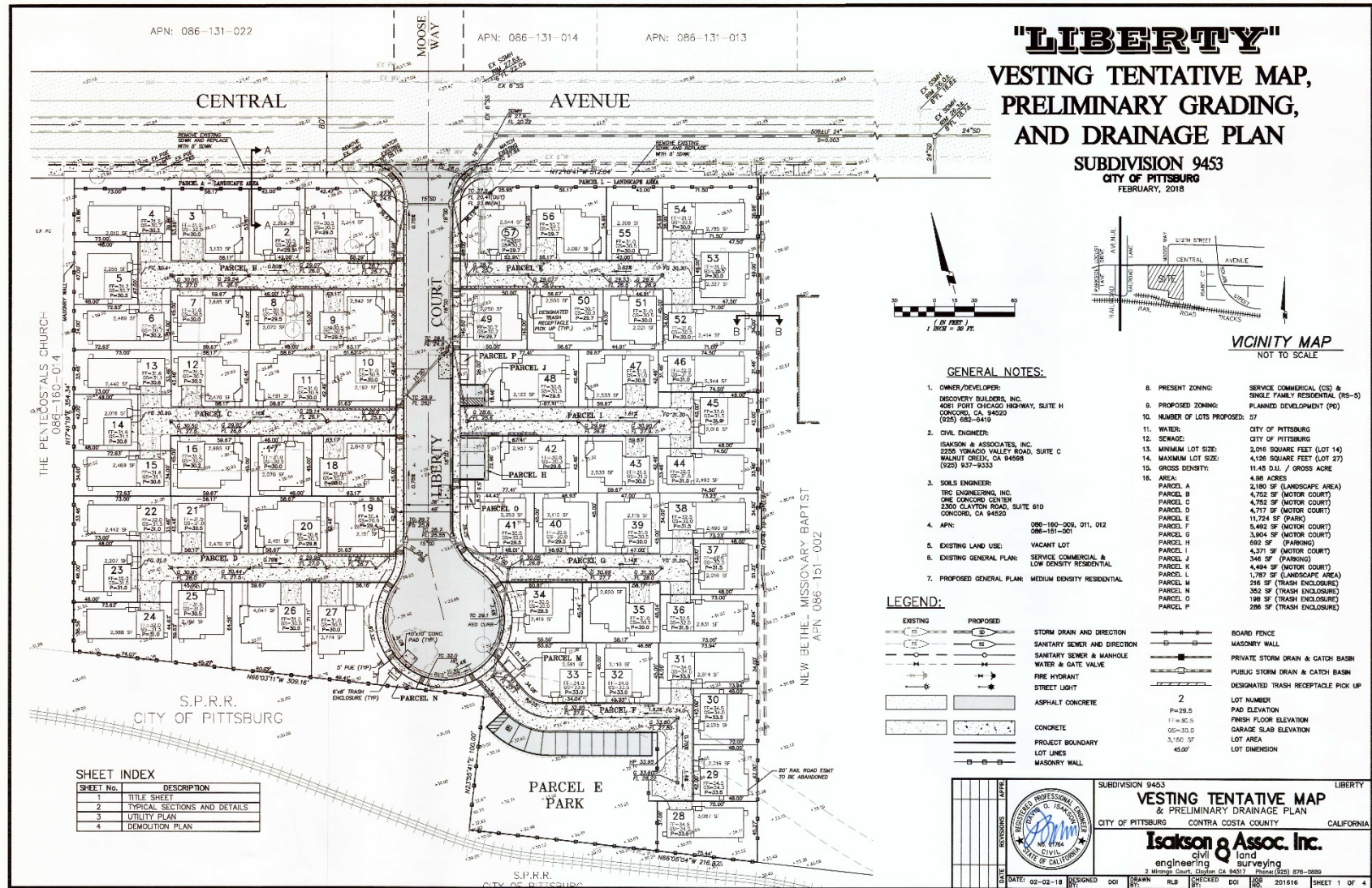


Figure 7 Vesting Tentative Map

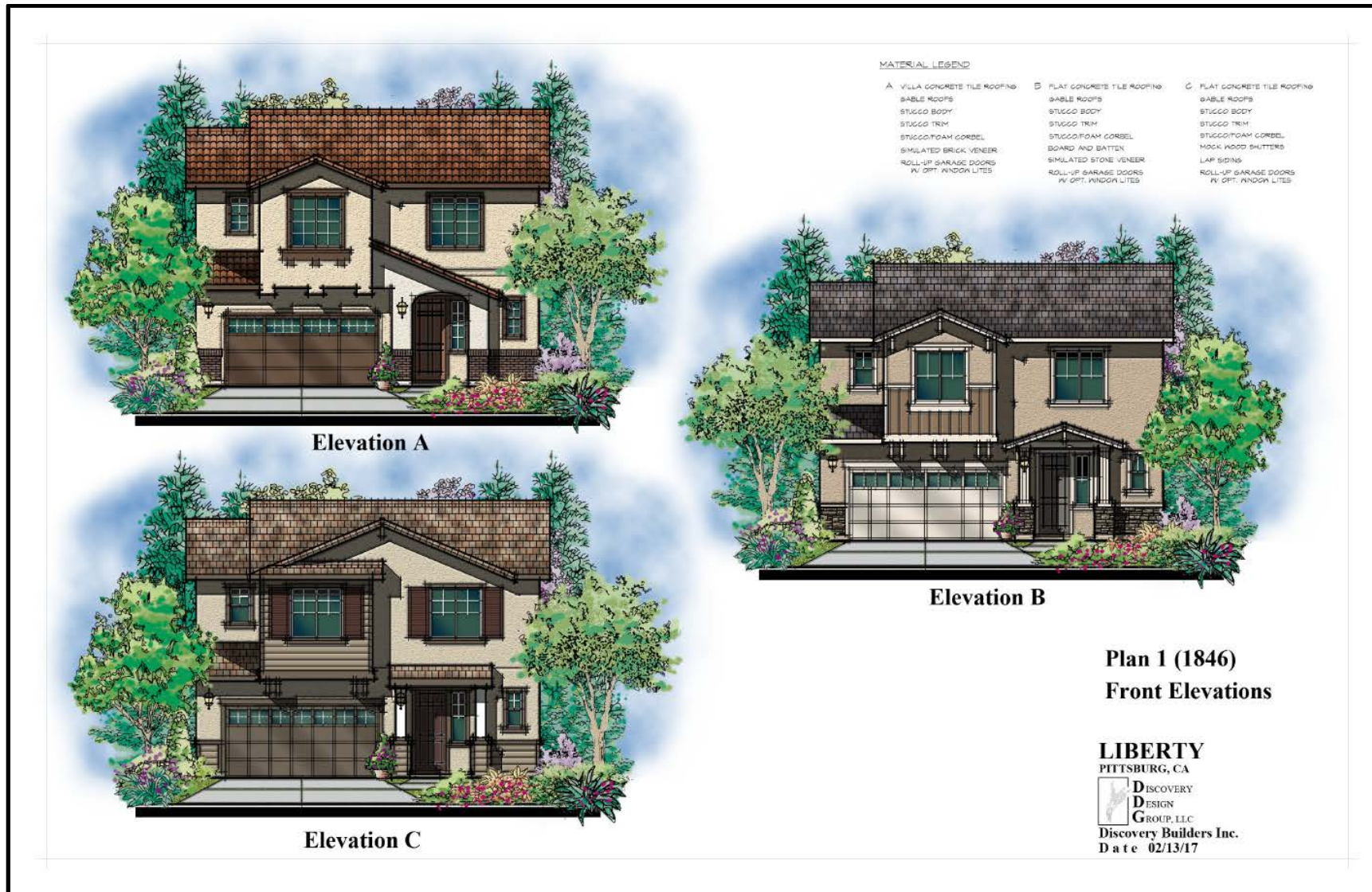


Figure 8 Sample Home Elevations

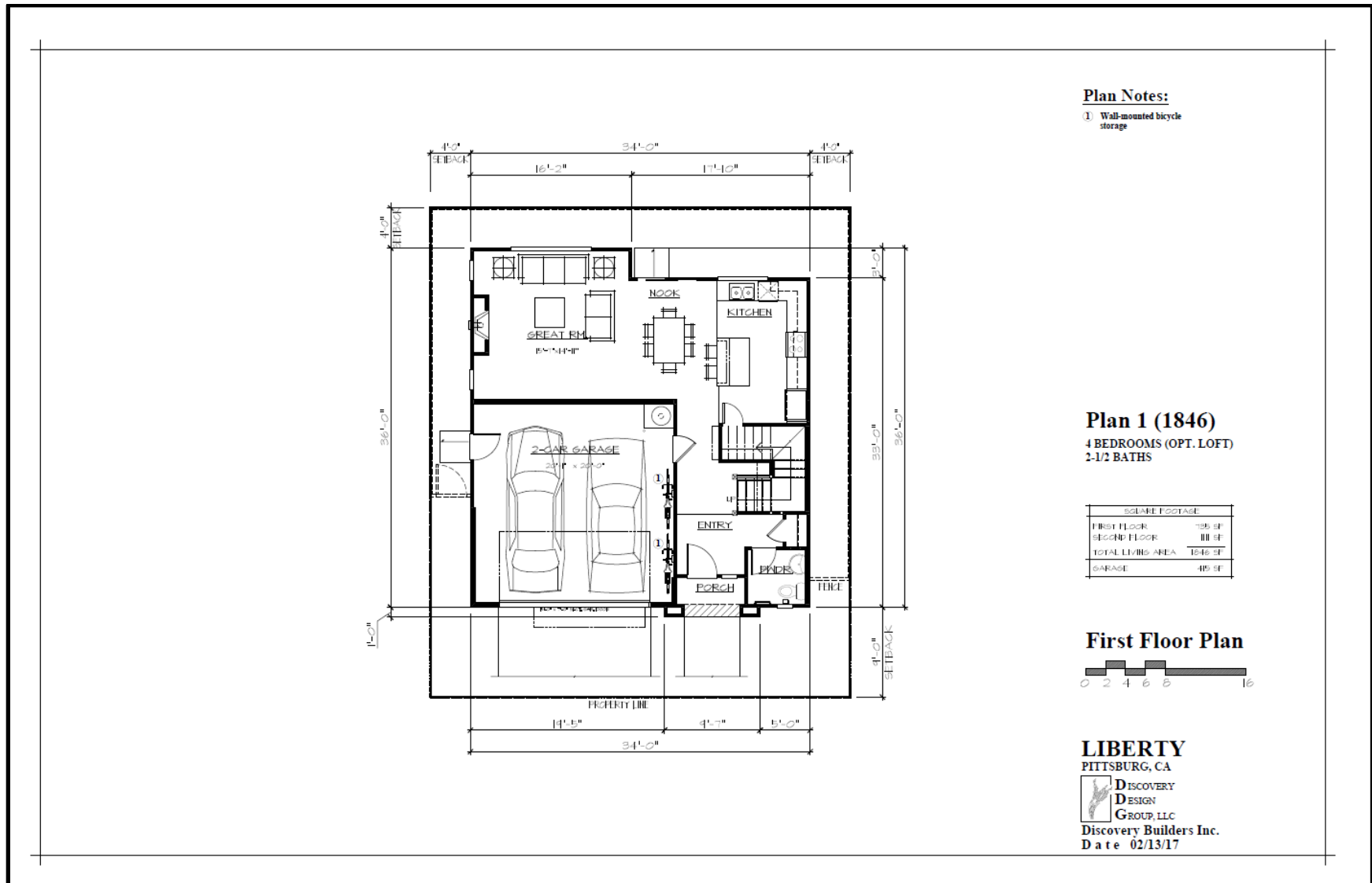
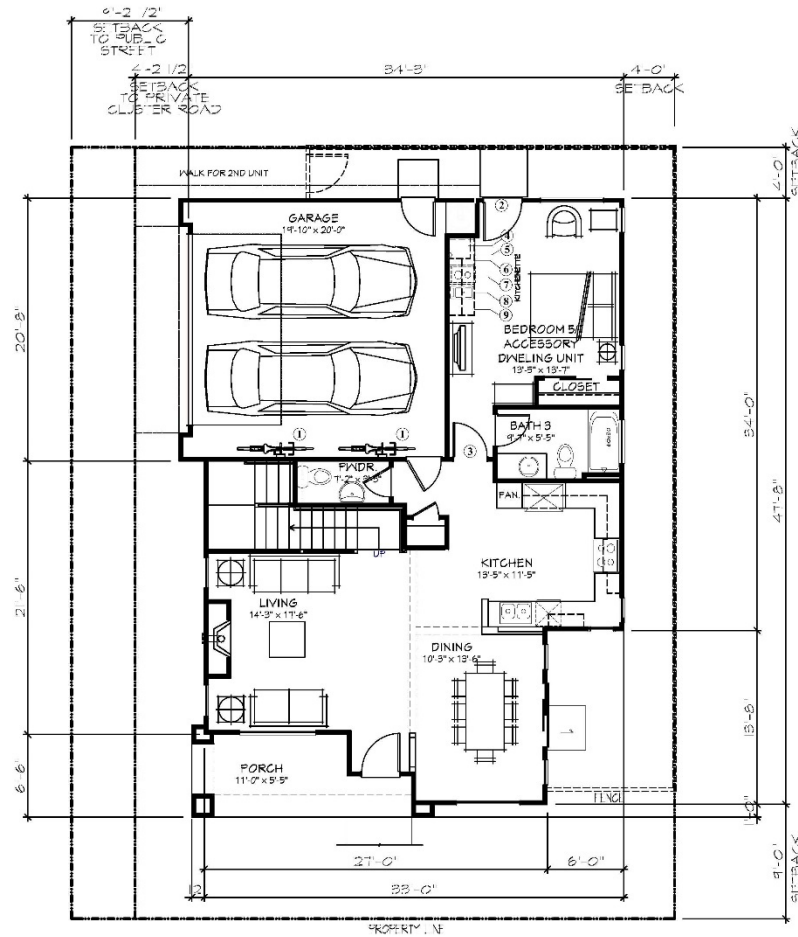


Figure 9 Sample Home Floor Plan (First Floor)





Plan Notes:

- ① Wall-mounted bicycle storage
- ② Exterior entry door
- ③ Optional door to living
- ④ Upper microwave shelf with receptacle
- ⑤ Electrical receptacle
- ⑥ Undercounter refrigerator
- ⑦ Two-burner electric cooktop
- ⑧ Stainless steel sink with garbage disposal
- ⑨ Base cabinet with tile countertop

Plan 2 (2477)

SQUARE FOOTAGE	
FIRST FLOOR	1020 SF
SECOND FLOOR	458 SF
TOTAL LIVING AREA	2477 SF
GARAGE	422 SF

First Floor Plan



LIBERTY
PITTSBURG, CA
 **DISCOVERY
DESIGN
GROUP, LLC**
Discovery Builders Inc.
Date 02/13/17

Figure 11 Sample Home Floor Plan with Accessory Unit (First Floor)

EVALUATION OF ENVIRONMENTAL IMPACTS

1. Aesthetics:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒

No Impact. A scenic vista is generally defined as a viewing point that provides expansive views of a highly valued landscape available to the general public. The two highly valued landscapes within Pittsburg are the rolling, grassy hills to the south and the Suisun Bay/Sacramento River Delta to the north (City of Pittsburg General Plan (General Plan) [1] page 4-2). The Project site is not identified as a viewing point for any of these landscapes (General Plan, Figure 4-1, page 4-3).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

No Impact. Within Contra Costa County, the State only recognizes State Route 24 between the cities of Berkeley and Walnut Creek and Interstate 680 between Dublin and Walnut Creek as scenic highways. The Project site is located more than 13 miles north of Walnut Creek and is therefore not visible from these highways. (State Scenic Highway Mapping System, accessed September 12, 2017).[27]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒

No Impact. The proposed Project could improve the neighborhood's appearance by developing a couple of unattractive, vacant and underutilized properties covered by weeds, other non-native plants and trees, and remnants from past development. The addition of street improvements and landscaping would create a visually pleasing development.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐

Less Than Significant with Mitigation. The proposed Project would introduce new sources of outdoor lighting which could adversely affect nighttime views by increasing the amount of glare, sky glow, and light trespass in the neighborhood.

Impacts and Mitigation Measures:

- **Impact AE-1:** The proposed Project would introduce new sources of exterior light which could adversely affect nighttime views by increasing the amount of glare, skyglow, light trespass, and light clutter in the neighborhood.
- **Mitigation Measure AE-1:** The design of the street lights shall be down-focused and indicated on the final development plan to be submitted. A street light plan shall be submitted to the City for review and approval prior to approval of the Project's improvement plans.

2. Agriculture and Forest Resources:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

No Impact. The proposed Project would be constructed on land designated in the California Farmland Mapping and Monitoring Program as Urban and Built-up Land. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be converted to non-agricultural use with the construction of the proposed residential development. (Farmland Mapping and Monitoring Program website, accessed September 12, 2017) [\[34\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

No Impact. The proposed Project would be constructed on land not subject to a Williamson Act contract. (Williamson Act Program website, accessed September 12, 2017) [\[36\]](#) The existing zoning of the property is CS and RS-5, with a General Plan land use designation of Service Commercial and Low Density Residential, both of which allow residential development pursuant to PMC section 18.52.005 and 18.50.005, respectively. Neither the zoning nor General Plan land use designations are identified for agricultural land use purposes.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project 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)?	☐	☐	☐	☒

No Impact. As forests are not a prominent land cover type in the City and timber production is not one of the City's local industries, the City does not have a zoning district exclusively dedicated to forest or timberland. However, the City's zoning ordinance does include the Open Space District that fosters agricultural land use, including crop production and grazing. The Project site is not located within an area designated as Open Space. The existing zoning of the property is CS and RS-5, which are intended to support development rather than forestry. (General Plan, Figures 2-2 and 9-1) [\[1\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

No Impact. Properties located within the City's urban limit line are not considered forest lands. The existing zoning of the property is CS and RS-5, which are intended to support development rather than forestry. (General Plan, Figures 2-2 and 9-1) [\[1\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Would the project 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 site is not located within an area designated as farming, agricultural, or forest lands. The Project site is currently zoned commercial and residential development (CS and RS-5, respectively).

3. Air Quality:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐

Less Than Significant Impact. The City of Pittsburg is located in the San Francisco Bay Area Air Basin (SFBAAB), which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), who regulates air quality in the San Francisco Bay Area. The SFBAAB area is currently designated as a 'nonattainment area' for the State and federal ozone, State and federal particulate matter 2.5 microns in diameter (PM_{2.5}), and State particulate matter 10 microns in diameter (PM₁₀) standards. The SFBAAB is designated 'attainment' or 'unclassified' for all other ambient air quality standards (AAQS). It should be noted that on January 9, 2013, the U.S. Environmental Protection Agency (EPA) issued a final rule to determine that the Bay Area has attained the 24-hour PM_{2.5} federal AAQS. [\[26\]](#)

For land use projects, CalEEMod quantifies emissions from area sources (e.g., natural gas fuel combustion for space and water heating, wood stoves and fireplace combustion, landscape maintenance equipment, consumer products, and architectural coating) and operations-related emissions (mobile sources). A CalEEMod evaluation of the potential air quality impacts of the proposed Project is available at the City of Pittsburg. The most recent clean air plan is the *2017 Clean Air Plan: Spare the Air, Cool the Climate* that was adopted by the BAAQMD on April 19, 2017. [\[24\]](#) The proposed Project would comply with the latest air quality plan since: 1) the Project would have emissions below the BAAQMD thresholds; 2) development of the Project site would be considered urban infill; and 3) development would be near existing transit with regional connections.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

Less Than Significant. The Project would have emissions less than the significance thresholds adopted by BAAQMD for evaluating impacts related to ozone and particulate matter. Therefore, the Project would not contribute substantially to existing or projected violations of those standards. Carbon monoxide emissions from traffic generated by the Project would be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high-localized concentrations of carbon monoxide. Air pollutant monitoring data indicate that carbon monoxide levels have been at healthy levels (below State and federal standards) in the Bay Area since the early 1990s. As a result, the region has been designated as 'attainment' for the standard.

There is an ambient air quality monitoring station in the City of Concord that measures carbon monoxide concentrations. The highest measured level over any eight-hour averaging period during the last three years is less than 3.0 parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm. According to Trip Generation and Parking Analysis for the Proposed Liberty Residential Subdivision, [40] the Project would generate a relatively small amount of traffic (less than 56 trips during the busiest hour). Intersections affected by the Project would have traffic volumes less than the BAAQMD screening criteria and, thus, would not cause a violation of an ambient air quality standard or have a considerable contribution to cumulative violations of these standards. (BAAQMD, FINAL 2017 CLEAN AIR PLAN) [24]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project 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 with Mitigation. The Bay Area is considered a 'non-attainment' area for ground-level ozone and fine particulate matter (PM_{2.5}) under both the Federal and California Clean Air Acts. The area is also considered 'non-attainment' for respirable particulates or particulate matter with a diameter of less than 10 micrometers (PM₁₀) under the California Clean Air Act, but not the Federal act. The area has attained both State and Federal ambient air quality standards for carbon monoxide. As part of an effort to attain and maintain ambient air quality standards for ozone and PM₁₀, the BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NO_x), PM₁₀, and PM_{2.5} and apply to both construction-period and operational-period impacts.

Due to the Project size, construction exhaust and operational period emissions would be less than significant. In their May 2017 update to the CEQA Air Quality Guidelines, [22] the BAAQMD established criteria for identifying land use projects that could result in significant air pollutant emissions based on size. For single-family residential projects, the construction-related exhaust impacts screening size is 56 dwelling units. Since the Project proposes 57 dwelling units (one over the threshold of significance), CalEEMod was used to calculate significance thresholds for operational emissions.

CalEEMod [17] was used to predict both air pollutant and GHG emissions from construction and operation of the site assuming full build-out of the Project. The Project land use types and size, trip generation rate, and other Project-specific information were input to the model. The use of this model for evaluating emissions from land use projects is recommended by the BAAQMD. The CalEEMod defaults for Contra Costa County were used. CalEEMod provides emissions for transportation, area sources,

electricity consumption, natural gas combustion, electricity usage associated with water usage and wastewater discharge, and solid waste land filling and transport.

Construction Air Pollutant Emissions: CalEEMod predicted the annual and total construction emissions in tons for each pollutant. According to the default construction schedule generated by the model, construction would begin in late 2018 and be completed in 2019, a period of approximately 12 months or 280 days. Since the significance thresholds are based on average daily emissions, the total emissions predicted by CalEEMod were divided by the number of construction days. Construction air pollutant emissions are reported in Table 1 below. These emissions are below the significance threshold for average daily emissions.

Table 1 Construction Period Emissions

Scenario	ROG	NOx	PM10	PM2.5
Construction Emissions (tons)	3.01 tons	2.72 tons	0.26 tons	0.20 tons
Average Daily Emissions (lbs.)*	4.64lbs.	48.25 lbs.	21.85 lbs.	12.46 lbs.
BAAQMD Thresholds (lbs./day)	54 lbs.	54 lbs.	82 lbs.	54 lbs.
Exceed Threshold?	No	No	No	No
<i>Note: *Assumes 280 workdays.</i>				

Construction Fugitive Dust: Construction activities, particularly during site preparation and grading would temporarily generate fugitive dust in the form of PM10 and PM2.5. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soil. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. Fugitive dust emissions would also depend on soil moisture, silt content of soil, wind speed, and the amount of equipment operating. Larger dust particles would settle near the source, while fine particles would be dispersed over greater distances from the construction site. The BAAQMD CEQA Air Quality Guidelines [22] consider these impacts to be less than significant if best management practices are employed to reduce these emissions.

Impacts and Mitigation Measure:

- **Impact AQ-1:** Air quality and fugitive dust-related impacts associated with grading and new construction could result in a significant impact.
- **Mitigation Measure AQ-1:** Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality and fugitive dust-related impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices

that are required of all projects:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day and as needed during windy areas to keep site free of airborne dust from construction activities. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
2. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
3. All vehicle speeds on unpaved roads shall be limited to 15 mph.
4. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used.
5. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
6. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
7. A publicly visible sign shall be posted with the name and telephone number for the contact at the Lead Agency for dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operational Emissions: The BAAQMD 2017 CEQA Air Quality Guidelines reports the modeled annual and average daily operational emissions. As shown, annual and average daily emissions of ROG, NOx, PM10, or PM2.5 emissions associated with operation of the Project would not exceed the BAAQMD significance thresholds.

Table 2 Operation Period Emissions

Scenario	ROG	NOx	PM10	PM2.5
Annual 2019 Project Emissions	1.17 tons	0.79 tons	0.48 tons	0.14 tons
Annual Emission Thresholds	10 tons	10 tons	15 tons	10 tons
Exceed Threshold?	No	No	No	No
Daily 2019 Emissions	1.4 lbs.	5.5 lbs.	2.95 lbs.	0.92 lbs.
Daily Emission Thresholds	54 lbs.	54 lbs.	82 lbs.	54 lbs.
Exceed Threshold?	No	No	No	No

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐

Less Than Significant with Mitigation. Sensitive receptors are locations where an identifiable subset of the general population (children, asthmatics, the elderly, and the chronically ill) that is at greater risk to the effects of air pollutants are likely to be exposed. These locations include residences, schools, playgrounds, childcare centers, retirement homes, hospitals, and medical clinics. Operation of the Project, which is residential in nature, is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. Temporary construction activity would generate dust and equipment exhaust on a temporary basis. There are no nearby sources of air pollutant emissions that could adversely affect new residents.

Construction activities would be temporary in nature. The use of heavy diesel equipment would occur mainly during the demolition and grading phases of the Project that are anticipated to last less than six months. Diesel exhaust associated with construction activity is considered a toxic air contaminant (TAC), since it can cause cancer and includes fine particulate matter or PM2.5.

Impacts and Mitigation Measures:

- **Impact AQ-2:** If uncontrolled, construction activities have the potential to result in elevated concentrations of diesel particulate matter and fugitive dust PM_{2.5} concentrations at nearby sensitive receptors. As a result, the impact is considered potentially significant. However, potential impacts can be reduced to a less than significant level by using newer or retrofitted diesel equipment and alternatively-fueled equipment in addition to limiting the hours of use of this equipment.
- **Mitigation Measure AQ-2:** Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with temporary construction dust and equipment exhaust to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:
 1. All diesel-powered mobile equipment larger than 50 horsepower (e.g. loaders, excavators, or graders) and operating on the site for more than two days consecutively shall meet U.S. Environmental Protection Agency (U.S. EPA) particulate matter emissions standards for Tier 2 engines or equivalent; or alternative measures such as the use of alternative-powered equipment (e.g. LPG-powered forklifts), alternative fuels (e.g. biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City of Pittsburgh;
 2. All diesel-powered portable equipment (e.g. generators and compressors) operating on the site for more than two days consecutively shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent; or the construction contractor shall use alternative-powered equipment (e.g. LPG-powered forklifts), alternative fuels (e.g. biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City of Pittsburgh;
 3. Line power shall be provided to the site during the building construction phases to minimize diesel-powered generator use; and
 4. Equipment hours of operation shall be minimized including the use of idling restrictions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Would the project create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Less Than Significant. The Project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. These emissions may be noticeable from time to time by adjacent receptors. However, they would be localized and are not likely to adversely affect people off site by resulting in confirmed odor complaints. Land uses primarily associated with ongoing odorous emissions are generally commercial or industrial in nature and might include waste transfer and recycling stations, wastewater treatment plants, landfills, composting operations, petroleum operations, food and byproduct processes, factories, and agricultural activities, such as livestock operations. The Project site would be developed with 57 single-family homes, which is residential in nature, and therefore is not expected to produce any new odor sources that would affect a substantial number of people.

3. Biological Resources:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project 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 Impact. The entire Project site was previously developed with urban uses including a car wash and PepsiCo bottling facility. The site does not contain any native habitat or critical habitat for wildlife listed as 'threatened' or 'endangered' by State or federal agencies. Neighboring lands are also developed and provide little if any habitat resources. The 4.98-acre site is considered an in-fill site, as it is surrounded by existing development on all four sides.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐

Less Than Significant with Mitigation. A majority of the Project site has been identified as ruderal land in the adopted *East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (ECC HPC/NCCP)*. (East Contra Costa County Habitat Conservation Plan Association, 2006).^[11] The Project Planning Survey Report submitted on June 6, 2017, ^[12] states that the "Project Site is

located within modeled suitable habitat for the western burrowing owl (*Athene cunicularia*) and a portion of the Project Site occurs within the ruderal land cover type which is considered suitable habitat for the owl. However, no burrows of suitable size to support the species (four inches or greater in diameter) were observed during the planning survey within 500 feet of the Project Site. The quality of habitat is considered marginal. California ground squirrels (*Spermophilus beecheyi*) were observed as well as active ground squirrel burrows within the ruderal and urban portions of the Project Site”.

Impacts and Mitigation Measures:

- **Impact BIO-1:** A majority of the Project site is identified as ruderal land in the adopted ECC HCP/NCCP. While there is a low probability, the potential for burrowing owls exists.
- **Mitigation Measure BIO-1:** Take Authorization – The applicant is required to obtain permit coverage under the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (“ECCC HCP/NCCP”). All applicable standard avoidance and minimization measures of the ECCC HCP/NCCP, as outlined in the draft Planning Survey Report (PSR) dated June 6, 2017, are incorporated as Mitigation Measures BIO-3 and BIO-4. With the incorporation of these mitigations, the project will be eligible to receive take authorization under the City’s incidental take permit from the United States Fish and Wildlife Service (USFWS) issued pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act (permit number: TE 160958-0) and the City’s incidental take permit from the California Department of Fish and Wildlife (CDFW) issued pursuant to California Fish and Wildlife Code Section 2835 (permit number 2835-2007-01-03).
- **Mitigation Measure BIO-2:** ECC HCP/NCCP Development Fees – Prior to the issuance of grading or construction permits for the project site, the applicant shall pay the final required ECCC HCP/NCCP development fee in effect for Zone I, in compliance with PMC Section 15.108.070 (note that the fee is subject to annual adjustments, in accordance with Chapter 9.3.1 of the ECCC HCP/NCCP). The final fee shall be paid for approximately 4.24 acres of land to be permanently disturbed, as identified in the draft PSR, which is subject to final review and approval by the Pittsburg Community Development Department.
- **Mitigation Measure BIO-3:** Preconstruction Surveys for Burrowing Owl – Prior to any ground disturbance related to covered activities, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey in areas identified in the planning surveys as having potential burrowing owl habitat. The surveys shall establish the

presence or absence of Western Burrowing Owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines (California Department of Fish and Game 1995).

On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed. Surveys should take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no more than 30 days prior to construction. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. Copies of both surveys shall be submitted to ECCC Habitat Conservancy and the City for review and approval.

- **Mitigation Measure BIO-4:** Avoidance and Minimization and Construction Monitoring for Burrowing Owl – If burrowing owls are found during the breeding season (February 1–August 31), the project proponent shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non- disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1– January 31), the project proponent should avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below).

During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.

If occupied burrows for burrowing owls are not avoided, passive relocation shall be implemented. Owls should be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances.

These doors should be in place for 48 hours prior to excavation. The project area should be monitored daily for a week to confirm that the owl has abandoned the burrow. Whenever possible burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project 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 Impact. The Project is not anticipated to affect any federally protected wetlands or waters of the United States. There are no visible water features on the Project site that would be impacted by the proposed development. (Site Visit 7/13/17)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project 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 Impact. The Project site has been fully disturbed by past commercial uses (a car wash and PepsiCo bottling site). There are no perennial surface waters in the site vicinity and, therefore, no fish habitat would be affected. (General Plan, Figure 9-1) [\[1\]](#) The terrain is flat with no natural geographic barriers or corridors. There are no

identified wildlife migratory corridors identified on the Project site. Considering these factors, the Project would not interfere with the movement of any wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐

Less Than Significant Impact. The City of Pittsburgh adopted a tree preservation ordinance protecting trees on private property (PMC section 18.84.825).^[3] The regulations define a 'protected tree' as any tree that measures at least 50 inches in circumference (15.6 inches in diameter) at four and one-half feet above grade. The *Arborist Report for 350 Central Avenue, Pittsburgh* prepared by Traverso Tree Service, dated July 24, 2017, ^[37] notes five trees on the Project site that meet these criteria. That report states the trees consist primarily of Mexican Fan Palms and Tree of Heaven, neither of which are California native trees, nor do they provide benefit to the property. The applicant applied for a tree removal permit on August 15, 2017 and will be required to comply with PMC section 18.84.825.

Impacts and Mitigation Measures:

- **Impact BIO-5:** The applicant requests to remove five trees protected under the City's tree preservation ordinance. PMC section 18.84.855 specifies the following options for replacement of protected trees: 1) replacement of the removed tree(s) at a four-to-one ratio with 24-inch box trees; 2) replacement of the tree(s) at a 12-to-one ratio with 15-gallon trees; 3) payment of in-lieu fees equal to the replacement trees' value, installation costs and one year of maintenance costs, as calculated with a 12-to-one ratio of 15-gallon trees; or 4) a combination of replacement and payment of in-lieu fees. The applicant has selected Option 4.

Based on a 12-to-one ratio, a total of 60 replacement trees are required. PMC section 18.84.855(C)(3) states "replacement trees shall be in addition to any trees required by any provisions of this title, as a condition of approval of another discretionary permit, or as environmental mitigation for a discretionary permit. Since

the proposed street trees located along the motorcourts and Liberty Court are already required under PMC section 18.56.090(E)(3), only the proposed trees located along Central Avenue (12) and within the park (15) would count as replacement trees. Therefore, in-lieu fees would be required for 33 trees.

- **Mitigation Measure BIO-5:** Prior to the removal of a protected tree, the applicant shall submit payment of in-lieu fees equal to the replacement trees' value, installation costs and one year of maintenance costs, as calculated with a 12-to-one ratio of 15-gallon trees (\$1,650).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Would the project 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 Impact. The PMC chapter 15.108, Ord. 07-1293, of the ECC HCP/NCCP Implementation Ordinance established the procedures to implement the ECC HCP/NCCP.

The Project site is located within the East Contra Costa County Habitat Conservation Plan (ECC HCP/NCCP) area. The ECC HCP/NCCP was designed to provide for comprehensive species, wetlands, and ecosystem conservation within the region and to contribute to the recovery of endangered species in Northern California. [\[11\]](#) The Project site is shown in the plan as ruderal and is in the Zone 1 fee area. The site development will not conflict with the ECC HCP/NCCP with mitigation listed in Initial Study Section 4(b) above.

5. Cultural Resources:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	☐	☐	☐	☒

No Impact. The Project site is currently vacant. The site is not located within a historical district, and the now-demolished structures were not identified as buildings of historical significance. (General Plan, Chapter 9) [\[1\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☐	☒

No Impact. There are no known or recorded archeological, paleontological, or other unique resources near the Project site as the site was previously developed and demolished.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

No Impact. Refer to Initial Study Section 5(b) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Less Than Significant Impact with Mitigation.

Impacts and Mitigation Measures:

- **Impact CR-1:** Due to the previous development on the site the potential for buried remains and artifacts is low, however the following mitigation measure assures compliance with the National Historic Preservation Act of 1966. [\[48\]](#)
- **Mitigation Measure CR-1:** Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be instructed by a representative of the Owner 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 Owner's representative if such resources are discovered. In the event of a discovery, the City shall be promptly notified 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.

6. Geology and Soils:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) 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?	☐	☐	☒	☐

Less Than Significant Impact. There is no active or potentially active fault zone, Seismic Hazard Zone, or Alquist-Priolo Earthquake Fault Zone located on the Project site or the surrounding areas, and there is no evidence of potential earthquake fault rupture hazard. The closest active fault is the Clayton segment of the Clayton-Marsh Creek-Greenville Fault, located more than three miles southwest of the Project site. (General Plan) [\[1\]](#) [\[28\]](#) [\[29\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2) Strong seismic ground shaking?	☐	☐	☒	☐

Less Than Significant Impact. Eastern Contra Costa County, like the San Francisco Bay Area as a whole, is in one of the most seismically active regions in the United States. Major earthquakes have occurred near Pittsburg in the past and can be expected to occur again in the future. Historically active faults (exhibiting evidence of movement in the last 200 years) in Contra Costa County include the Concord, Hayward, and Clayton-Marsh Creek-Greenville faults. Two potentially active faults (showing evidence of activity in the last two million years) include the Franklin and Antioch faults. The largest active fault in the region, the San Andreas Fault, is located about 40 miles west of Pittsburg. (General Plan)

Strong ground motions could occur near the Project site from an earthquake on any of these regional faults. The intensity of ground shaking that would occur in Pittsburg as a result of an earthquake in the Bay Area would depend on the magnitude of the earthquake, the distance from the City, and the response of the geologic materials at the Project site. Strong ground shaking would be a potentially substantial seismic hazard if structures are not appropriately designed. The potential for seismic ground motion to damage structures is typically mitigated through proper design and construction to withstand predicted ground motions. The California Building Code (CBC) seismic standards are designed to mitigate the potential for people or structures to be exposed to substantial risks from seismically-induced ground motion. Conformance with the CBC would be assured through the City's building permit process. Adherence to building code requirements would limit the risk of damage or injury from seismic ground shaking to a level that is less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐

Less Than Significant Impact with Mitigation. An evaluation of the geotechnical impacts related to the proposed Project was conducted by TRC Companies, Inc., (TRC). [49] The site is located within an area that has not been mapped by the State of California as having the potential for seismically induced liquefaction. However, the Association of Bay Area Governments (ABAG) Resilience Program shows the area as having low liquefaction potential. During cyclic ground shaking, such as earthquakes, cyclically-induced stresses may cause increased pore water pressures within the soil matrix, which results in liquefaction. Liquefied soil may lose shear strength that may lead to large shear deformations and/or flow failure. Liquefied soil can also settle as pore pressures dissipate following an earthquake. Limited field data is available on this subject; however, settlement on the order of 2 to 3 percent of the thickness of the liquefied zone has been measured in some cases.

TRC reviewed liquefaction potential in accordance with guidelines set forth in CDMG Special Publication 117 (CDMG, 1997). Based on this publication, screening investigations were used to determine whether a particular site has obvious indicators for potential failure as a result of liquefaction. Three of these indicators would include soil type, soil density, and depth to ground water. The granular soils encountered on adjacent sites were generally medium dense to dense. In addition, depth to ground

water is anticipated to be 25 feet deep or greater. Based on these referenced indicators and TRC's engineering judgment, the potential for liquefaction is low during seismic shaking. However, TRC recommends a complete liquefaction evaluation should be performed as a part of the design-level geotechnical investigation.

Impacts and Mitigation Measures:

- **Impact GEO-1:** Liquefaction during an earthquake can cause significant damage to people and structures.
- **Mitigation Measure GEO-1:** A complete liquefaction evaluation shall be performed as a part of the design-level geotechnical investigation. The liquefaction evaluation shall be submitted with the design level geotechnical study when the grading plans are submitted.

Compliance with the Design Level Geotechnical Report would reduce this potential impact to a level of less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Landslides?	☐	☐	☐	☒

No Impact. Landslides would not be a potential hazard on the Project site since it is relatively flat. There are no substantial slopes on or adjacent to the site that could result in a landslide hazard.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒

No Impact. The Project site is covered by disked soil, concrete foundation remnants, and pavement, with little exposed soil. Development of the Project would involve demolition and removal of existing pavement, and the construction of new buildings. Construction would not result in substantial soil erosion or loss of topsoil.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project 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. There are no substantial slopes on or adjacent to the Project site, therefore the Project does not have the potential to result in landslides. As noted in Initial Study Section 6.a.3 above, the Project site has low liquefaction potential. Subsidence can occur when pore pressures are reduced in unconsolidated geologic materials below a valley floor due to the withdrawal of fluids. The Project would not increase groundwater extraction or other withdrawal of fluids from unconsolidated geologic deposits. The mitigation measures in Initial Study Section 6.a.3 above would bring the proposed project compliance to less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project 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 with Mitigation. According to TRC's report [49] for the Project, a Plasticity Index (PI) test performed on a sample from boring EB-1 at an approximate depth of 2 feet resulted in a PI of 35, indicating high plasticity and expansion potential of the near-surface soils.

Construction of the proposed Project would require solid building surfaces. Expansive soils shrink and swell as a result of moisture changes, causing heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations.

Impacts and Mitigation Measures:

- **Impact GEO-2:** Because there is a potential for expansive soils on the Project site, there is a potential for structural damage if structures are not properly designed to address the expansive soils. This creates a substantial risk to life or property.
- **Mitigation Measure GEO-2:** Prior to the approval of improvement plans and issuance of a grading permit, the Applicant shall submit a design-level geotechnical report to the City of Pittsburg Engineering Division for review and approval. The standard City requirements for a design level report include, at a minimum: 1) compaction specifications for on-site soils; 2) road and pavement design; 3) structural foundations; 4) grading practices; 5) erosion/winterization; and 6) expansive/unstable soils.

Compliance with the Design-Level Geotechnical Report would reduce this potential impact to a level of less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Would the project 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?	☐	☐	☐	☒

No Impact. The proposed Project does not involve the installation of septic tanks or alternative wastewater disposal systems. Furthermore, the Contra Costa Environmental Health Department, which regulates installation and inspection of septic tanks, would not permit a medium-density residential development to utilize septic tanks for wastewater treatment. (County Ordinance Code Section 420-6.206) Therefore, the Project would have no impact in this area.

7. Greenhouse Gas Emissions:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

Less Than Significant. The BAAQMD CEQA Air Quality Guidelines (May 2017) [22] included GHG emissions-based significance thresholds. For land use development projects, the threshold is compliance with a qualified GHG Reduction Strategy; or annual emissions less than 1,100 metric tons per year (MT/yr) of CO₂e; or 4.6 metric tons of CO₂e/year/service population. Land use development projects include residential, commercial, industrial, and public land uses and facilities.

The project size (57 residential units) exceeds the screening size listed in the BAAQMD CEQA Air Quality Guidelines by one residential unit. Therefore, a refined analysis that includes modeling of GHG emissions from the Project was conducted.

The CalEEMod model [17] was also used to predict GHG emissions from operation of the site assuming full build-out of the Project. GHG emissions associated with construction were computed to be 294 metric tons CO₂e. CO₂e is considered the emissions of all greenhouse gases expressed as equivalent carbon dioxide based on the warming potential for each gas. The warming potentials are based on the values assigned by CalEEMod. These are the emissions from on-site operation of construction equipment, and hauling truck, vendor truck, and worker trips. The BAAQMD does not have an adopted Threshold of Significance for construction-related GHG emissions, though total construction period emissions would be less than the BAAQMD operational threshold of 1,100 metric tons CO₂e per year. The District recommends quantifying emissions and disclosing that GHG emissions would occur during construction. BAAQMD also encourages the incorporation of best management practices to reduce GHG emissions during construction where feasible and applicable. Best management practices assumed to be incorporated into construction of the proposed Project include, but are not limited to: using local building materials of at least 10 percent and recycling or reusing at least 50 percent of construction waste or demolition materials.

The CalEEMod model was used to predict daily emissions associated with operation of the fully-developed site under the proposed Project. Computed Project per capita emissions are 3.4 metric tons of CO₂e/year/service population, which would not exceed

the BAAQMD threshold of 4.6 metric tons of CO₂e/year/service population. Table 3 shows predicted Project GHG emissions.

Table 3 Annual Project GHG Emissions

Source Category	2019 Project Emissions (metric tons)
Construction (1 year)	294
Operation	639
Area	7.8
Energy Consumption	223
Mobile	383
Solid Waste Generation	16
Water Usage	97
GHG Emissions (per capita)	3.4
BAAQMD Threshold	4.6 metric tons of CO ₂ e/year
Significant?	No
Note: *Based on a service population of -186	

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project 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 BAAQMD GHG significance thresholds were designed to ensure compliance with AB 32, the State's GHG reduction legislation. The SFBAAB is currently designated as a nonattainment area for state and national ozone standards and national particulate matter ambient air quality standards. SFBAAB's nonattainment status is attributed to the region's development history. Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. If a proposed project's emissions are below the significance threshold, it can be assumed to comply with AB 32 within BAAQMD's jurisdiction. As described in Initial Study Section 6(a) above, the Project's impact would be under the threshold and therefore result in a less than significant impact related to GHG.

8. Hazards and Hazardous Materials:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒

No Impact. Projects that involve the routine transport, use, or disposal of hazardous materials are typically industrial in nature. The proposed Project would not be industrial in nature and would consist of the development of 57 residential homes. This type of use would not typically involve the routine transport, use, disposal, or generation of substantial amounts of hazardous materials. Construction activities would involve the use of heavy equipment, which would contain fuels and oils, and various other products such as concrete, paints and adhesives. However, the Project contractor would be required to comply with California Health and Safety Codes and local ordinances regulating the handling, storage and transportation of hazardous and toxic materials, as overseen by Cal-EPA and the California Department of Toxic Substances Control (DTSC). Thus, the proposed Project would not create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project 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 Impact. As discussed under Initial Study Section 8(a) above, the proposed Project would not involve the routine transport, use or disposal of hazardous materials and therefore there is no potential for any upset or accidental conditions involving the release of hazardous materials into the environment. As noted in Item 8(a), the Project contractor would be required to comply with California Health and Safety Codes and

local ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. Therefore, the proposed Project would not create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒

No Impact. As discussed under Initial Study Sections 8(a)-(b). above, the proposed Project would not involve that potential to emit hazardous emissions or handle acutely hazardous material, substance, or waste within a quarter mile of an existing school. The Project is residential in nature and would not involve the use of hazardous materials with a potential for emissions.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project 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 Impact. The Project site is not included on a list of hazardous materials sites compiled by the California Department of Toxic Substances Control. (DTSC, 2017) [\[8\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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 Impact. The Project site is not located within an airport land use plan nor is it located within two miles of a private airstrip; therefore, there would be no impact related to safety hazards within the vicinity of an airport. (Contra Costa County Airports, 2017) [9]

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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 Impact. See Initial Study Section 8.d above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No Impact. The 2017 City of Pittsburg Emergency Operations Plan (EOP) [4] establishes procedures for educating the public about emergency preparedness and establishes procedures for responding to emergency situations, including management

of communication systems, provision of medical assistance, and maintenance of local financing structures and government leadership roles in the aftermath of a significant emergency event. The proposed Project would not modify any provision of the EOP.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Would the project 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 site is an infill site and is surrounded by urban development. The Project site is not located in proximity to large open spaces where wildland fires would likely occur. (General Plan, [\[1\]](#) pages 11-17) In addition, the Project site is located within the 1.5-mile response radius for fire services. (General Plan, Figure 11-2) Therefore, there is no Project impact anticipated relative to wildland fires, and no Project-specific mitigation is necessary.

9. Hydrology and Water Quality:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐

Less Than Significant Impact with Mitigation. The greatest potential sources of surface water pollutants associated with the proposed development would be during the construction-phase erosion of the Project site and urban runoff pollutants generated from impervious surfaces on-site following the completion of construction. During the early stages of construction activities, topsoil would be exposed due to grading of the site. After grading and prior to overlaying the ground surface with impervious surfaces and structures, the potential exists for wind and water erosion to discharge sediment and/or urban pollutants into stormwater runoff, which would adversely affect water quality.

The State Water Resources Control Board (SWRCB) [\[50\]](#) regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. Performance Standard NDCC-13 of the City's National Pollutant Discharge Elimination System (NPDES) permit requires applicants to show proof of coverage under the State's General Construction Permit prior to receipt of any City construction permits. The State's General Construction Permit requires a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the site. A SWPPP describes Best Management Practices (BMPs) to control or minimize pollutants from entering stormwater and must address both grading/erosion impacts and non-point source pollution impacts of the development project, including post-construction impacts. Thus, the City and State's regulatory requirements, which are required for the project, would fully address all construction runoff impacts.

The San Francisco Bay Regional Water Quality Control Board (RWQCB) issued an Order requiring all municipalities within Contra Costa County (and the County itself) to develop more restrictive surface water control standards for new development projects as part of the renewal of the Countywide NPDES permit. Known as the 'C.3 Standards', [\[16\]](#) new development or redevelopment projects that create or replace 10,000 square feet or more of impervious area must contain and treat stormwater runoff on the project site or mitigate the runoff. The proposed project is a C.3 regulated project and is required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures.

Impacts and Mitigation Measures:

- **Impact HYD-1:** The proposed project is a C.3 regulated project and is required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures.
- **Mitigation Measure HYD-1:** The developer shall submit a complete Stormwater Control Plan and Report for the Liberty Residential Subdivision. The C.3 treatment facilities shall be adequately sized to treat the stormwater runoff from the associated drainage management areas. In the event it is discovered that the treatment facilities on-site does not provide adequate capacity, the developer shall provide off-site treatment at another facility. The offsite facility shall be retrofitted or constructed to meet current C.3 standards, and provide the equivalent capacity that was infeasible at the on-site facility. The developer may choose to submit an alternative C.3 compliance plan, subject to approval by the City Engineering Division.
- **Mitigation Measure HYD-2:** 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, or an alternative C.3 compliance plan approved by the City Engineering Division, 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.
- **Mitigation Measure HYD-3:** 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 features, 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.
- **Mitigation Measure HYD-4:** The developer shall submit the final draft of the Stormwater BMP Operation and Maintenance Plan and Operations and Maintenance Agreement for the project's C.3 facilities, or alternative C.3 compliance plan to the Engineering Division for review prior to the first final building permit approval. The developer shall also execute the, which pertain to the transfer of ownership and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on

the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook.

- **Mitigation Measure HYD-5:** Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2016-1 (Maintenance of Project Facilities and Future Annexation Area). The CFD provides funding for on-site project and off-site stormwater treatment facilities.

Compliance with the above mitigation measures will assure water quality impacts are reduced to less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project 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. The proposed Project would involve an increase in impervious surfaces (buildings, parking, and internal streets) from what currently exists on this site, which would decrease the infiltration of groundwater to the underlying aquifer as compared to existing conditions. TRC's *Feasibility Level Geotechnical Investigation Report*, [49] dated September 11, 2017, indicated borings generally encountered very stiff fat clay with sand, very stiff lean clay, very stiff to hard lean clay with sand, and stiff to hard sandy lean clay to a depth of approximately 30 feet. Free ground water was encountered during TRC's subsurface exploration in boring EB-2 at a depth of approximately 29 feet. Ground water recharge is not feasible due to the highly expansive soils present at the Project site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project 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 Vesting Tentative Map, Preliminary Grading, and Drainage Plan, [F7] prepared by Isakson and Associates, Inc, dated February 2018, proposes a new storm drain line in Central Avenue draining the impervious project areas connecting to an existing 24-inch line at Isabel Court. Prior to the approval of the improvement plans for the project, the City Engineering Division requires hydrology and erosion control plans that demonstrate the project will not result in substantial erosion or siltation. There are no streams or rivers on or within the boundaries of the project site (City of Pittsburgh General Plan Figure 9-1, Site Visit 7/13/17)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project 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 with Mitigation. Project development would involve the construction of 57 residential homes on the 4.98-acre Project site. Construction would require removal of existing remnant concrete and pavement from the Project site as well as grading, excavation, and other construction-related activities that could cause soil erosion at an accelerated rate during storm events. All these activities have the potential to affect water quality and contribute to localized violations of water quality standards if stormwater runoff from construction activities enters receiving waters. These exposed soils could affect water quality in two ways: 1) Stormwater runoff from the site may contain suspended soil particles and sediments, or 2) sediments could be transported

as dust that eventually reaches local waterbodies.

Sediments could reach local water bodies either through direct deposition or as suspended sediment in the runoff. Spills or leaks from heavy equipment and machinery, staging areas, or building sites could also enter runoff. Typical pollutants could include, but would not be limited to, petroleum products such as paints, solvents, and cleaning agents, which could contain hazardous constituents. Sediment from erosion of graded or excavated surface materials, leaks or spills from equipment, or inadvertent releases of building products could result in water quality degradation if runoff containing the sediment or contaminants entered receiving waters in sufficient quantities to exceed water quality objectives. Impacts from construction-related activities generally would be short-term.

Because the proposed Project would require construction activities that would result in a land disturbance of greater than one acre, the applicant would be required by the State to obtain a General Permit for Discharges of Storm Water Associated with Construction Activity (General Construction Permit), which pertains to pollution from grading and project construction. Compliance with the General Construction Permit requires the project applicant to file a Notice of Intent (NOI) with the State Water Quality Control Board and prepare a SWPPP prior to construction. The SWPPP would incorporate best management practices to prevent, or reduce to the greatest extent, adverse impacts to water quality from erosion and sedimentation.

Impacts and Mitigation Measures:

- **Impact HYD-2:** The Project has the potential to pollute water run-off during and after construction.
- **Mitigation Measure HYD-2.** Prior to issuance of a Grading Permit, the applicant shall submit to the City Engineer for review and approval a long-term storm water pollution prevention plan (SWPPP) to protect storm water quality. The SWPPP shall include the following additional BMPs to protect storm water quality:
 1. Proper maintenance of parking lots and other paved areas can eliminate the majority of litter and debris washing into storm drains and thus, entering local waterways. Regular sweeping is a simple and effective BMP aimed at reducing the amount of litter in storm drain inlets (to prevent clogging) and public waterways (for water quality). The Homeowners Association shall enter into an agreement with the City or other street sweeping contractor to ensure this maintenance is completed on a monthly basis.

2. Proper maintenance of low-flow infiltration structures is necessary to ensure their effectiveness. Improper maintenance of the structures could result in a reduction of storm water conveyance capacity to overlying drainage structures as well as interfere with the infiltration capabilities of the structures. The maintenance of the low-flow infiltration structures will be the responsibility of the Homeowners Association. Necessary maintenance includes: regular inspection during the wet season for sediment buildup and clogging of inlets and outlets; and regular (approximately once a year) removal of sediment. A maintenance schedule shall be submitted to the City Engineering Department prior to project approval.
3. The applicant shall prepare informational literature and guidance on residential BMPs to minimize pollutant contributions from the proposed development. This information shall be distributed to all future residents at the project site by the Homeowners Association. At a minimum the information should cover: 1) General information on the low-flow infiltration structures for residents concerning their purpose and importance of maintaining them; 2) Proper disposal of household and commercial chemicals; 3) Proper use of landscaping chemicals; 4) Clean-up and appropriate disposal of yard cuttings and leaf litter; and 5) Prohibition of any washing and dumping of materials and chemicals into storm drains.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Would the project 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 Project site is located outside of the 100-year flood hazard area; therefore, the Project would result in no impact relative to potential flooding. (Federal Emergency Management Agency (FEMA), 2015) [\[14\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

No Impact. See Initial Study Section 9(e) above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Would the project expose people or h) 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. There are no levees or dams located upstream of the Project site with the potential to inundate the site because of failure, resulting in no impact (Google Maps).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Would the project lead to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

No Impact. The Project site is not vulnerable to inundation by seiche or tsunami. The Project site is approximately 0.75 miles from Suisun Bay where there is only a slight possibility of small events. (California Department of Conservation, 2017) [30] In addition, the Project site is flat and surrounded by development and would therefore not be subject to mudflow. As such, the Project would have no impact related to inundation by seiche, tsunami, or mudflow.

10. Land Use and Planning:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project physically divide an established community?	☐	☐	☐	☒

No Impact. The proposed Project would help complete the build-out of the neighborhood by developing one of the last vacant infill properties located along Central Avenue. It would not physically divide the community, in that the existing street and roadway network would continue providing the same level of access between neighborhoods.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Less Than Significant Impact. The Project requires City Council approval of a General Plan map amendment to change the site's land use designation from a combination of Service Commercial and Low Density Residential (1 to 7 dwelling units per acre (d.u./ac)) to Medium Density Residential (7 to 14 d.u./ac) (see Figures [5](#) and [6](#)); a zoning map amendment to rezone the site from a combination of CS and RS-5 to PD (see Figures [3](#) and [4](#)); a vesting tentative map to subdivide the 4.98-acre site into 57 lots for detached single-family homes (see Figure [7](#)); and design review of landscape and architectural plans (see Figures 8-11).

The Project site includes two different zoning districts. Half the site (approximately 2.6 acres) is located in the CS district and the other half (approximately 2.41 acres) is located in the RS-5 district (with 5,000-square-foot minimum lot sizes). Both zoning

designations are consistent with the current General Plan land use designations. As stated in the Project description, the Applicant is seeking a General Plan amendment and rezoning to allow medium-density residential to be permitted on the entire Project site. The existing service commercial designation for this site is generally intended for economic and job development purposes rather than for the purpose of avoiding or mitigating an environmental effect (Pittsburg General Plan EIR Findings, City Council Resolution No.01-9519). In addition, the General Plan does allow a degree of residential development within commercial zones, so the proposed Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Less Than Significant Impact. The Project site occurs within the area of the ECC HCP/NCCP. [\[11\]](#) The plan is designed to provide for comprehensive species, wetlands, and ecosystem conservation within the region and to contribute to the recovery of endangered species in northern California. Though the site has a low potential to have burrowing owls, mitigation Measures in Initial Study Section 3.b would result in a less than significant impact.

11. Mineral Resources:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project 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. There are no known mineral resources or deposits identified near the Project site, therefore the proposed Project would have no impact. (General Plan, pages 9-3)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project 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. Refer to Initial Study Section 11.a above.

12. Noise:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project 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 with Mitigation. The General Plan requires that interior noise levels within new residential units be maintained at or below 45 decibels (dBA) community noise equivalent level (CNEL). The State Building Code, Title 24, Part 2 of the California Code of Regulations establishes minimum noise insulation standards to protect people. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dBA day-night average sound level (Ldn) or CNEL in any habitable room.

An Environmental Noise Assessment entitled *Liberty Residential Development* dated May 26, 2017, was prepared by Bollard Acoustical Consultants, Inc. That assessment maintains that noise levels would exceed the maximum allowable interior sound level of 45 dBA CNEL inside residential units exposed to exterior noise levels of 60 dBA CNEL when windows are open in proposed residences along Central Avenue and Union Pacific Railroad (UPRR) tracks to the south. Additionally, the proposed park is located along the UPRR tracks.

Impacts and Mitigation Measures:

- **Impact NOI-1:** Because residential land uses proposed at the Project site would be exposed to exterior and interior noise levels greater than normally acceptable noise levels standards required by the General Plan, noise impacts to proposed sensitive receptors would be considered potentially significant.
- **Mitigation Measure NOI- 1:** Implementation of the following mitigation measures (noted in Environmental Noise Assessment entitled *Liberty Residential Development* dated May 26, 2017, prepared by Bollard Acoustical Consultants, Inc.) would reduce the potential impact of exterior noise levels on potential sensitive receptors to a level of less than significant.

1. Prior to the issuance of building permits, a qualified acoustical consultant shall review final site plans, building elevations, and floor plans to confirm that the design results of interior noise levels are reduced to 45 dBA CNEL or lower. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to the issuance of a building permit.
 2. All upper-floor windows of residences adjacent to Central Avenue (homes on Lots 1-4 and 54-57) and the UPRR tracks (homes on Lots 24-33) shall be upgraded to a Sound Transmission Class (STC) rating of 32.
- **Mitigation Measure NOI- 2:** Prior to the issuance of Building Permits, the applicant shall show on the construction drawings that a suitable form of forced-air mechanical ventilation shall be installed as determined by the City Building Official, for units throughout the site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

Less Than Significant. The construction of the Project may involve perceptible vibration when heavy equipment or impact tools are used (e.g. jackhammers, hoe rams, etc.). Construction activities would include demolition, excavation, grading, site preparation work, foundation work, and new building framing and finishing.

The nearest existing structures to the property are the Baptist Church to the east, Filipino-American Associates across Central Avenue, and residential beyond. All at a distance of 20 feet or greater, vibration levels from construction equipment would typically be below a significance threshold of 0.3 inches per second peak particle velocity (PPV). Construction activities would be temporary in nature and would occur during normal business hours, as regulated by the City. Therefore, impacts related to ground borne vibration would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐

Less Than Significant. Development of the residential subdivision would increase ambient noise levels in the Project vicinity as compared to the existing vacant site. However, residential uses are not considered significant noise generators and the impact would be considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐

Less Than Significant with Mitigation Incorporated. Noise from the construction activities, including demolition of existing concrete remnants and paving and construction of the Project infrastructure and new buildings, would contribute to the noise environment in the Project vicinity. Noise impacts from construction activities depend on the various pieces of construction equipment, the timing and length of noise-generating activities, and the distance between the construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g. early morning, evening, or nighttime hours) when construction occurs in areas adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

Impacts and Mitigation Measures:

- **Impact NOI-3:** Noise from construction activities could contribute to the existing noise environment and have a potential significant impact on adjacent properties.
- **Mitigation Measure NOI-3:** Implementation of the following mitigation measures

would reduce the potential impact of construction noise on existing residences adjacent to the Project site to a level of less than significant. Prior to the issuance of construction permits, the contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities are scheduled to minimize noise disturbance. The plan shall implement, but not be limited to, the following available control measures to reduce construction noise levels as low as practical:

1. Construction activities shall be limited to the hours between 8:00 AM and 5:00 PM, Monday through Saturday. No construction activities should occur on Sundays or federal Holidays (consistent with General Plan Policy 12-P-9 and as approved by the City Engineer and Chief Building Official);
2. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
3. Prohibit all unnecessary idling of internal combustion engines;
4. Utilize “quiet” models of air compressors and other stationary noise sources where technology exists;
5. Locate all stationary noise-generating equipment, such as air compressors and portable power generators as far away as possible from adjacent residential land uses;
6. Locate construction staging areas and construction material storage areas as far away as possible from adjacent residential land uses;
7. Designate a “Disturbance Coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (i.e. starting work too early) and would require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator for the construction site and include the telephone number in the notice sent to neighbors regarding the construction schedule; and
8. Hold a preconstruction meeting with job inspectors and the general

contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule and noise coordinator) are complied with.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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 Impact. The Project site is not located within an Airport Land Use Plan nor is it located within two miles of an airport. (Contra Costa County Airports, 2017) [\[9\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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 Impact. The Project site is not located within the vicinity of a private airstrip. (Contra Costa County Airports, 2017)

13. Population and Housing:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project 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)?	☐	☐	☒	☐

Less Than Significant Impact. The most recent census estimates for family size in the City of Pittsburgh are 3.27 persons per household (U.S. Census Bureau, 2017). [\[20\]](#) Given the proposed number of units (57), the development has the potential to increase the population of Pittsburgh by 186 people. According to the 2016 census estimates, the total population of the City of Pittsburgh was 70,679 (U.S. Census, 2017) [\[21\]](#) thus the proposed Project would increase the City's population by 0.26 percent. As a result, the potential population increase is considered less than significant. As an infill site, no extension of roads would be necessary to facilitate redevelopment of the Project site. Off-site drainage, water, and sewer lines will be replaced or constructed for the project, but they do not induce substantial population growth as the site is an infill site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No Impact. There are no existing residential units on the site and therefore there would be no impacts necessitating the construction of replacement units elsewhere.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No Impact. See Initial Study Section 13.b above.

14. Public Services:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
1) Fire protection?	☐	☒	☐	☐

Less Than Significant Impact with Mitigation. Station 87 at 1903 Railroad Avenue is 0.7 miles from the Project site. While the construction of the Project could result in increased risk of fire in the area due to the construction of new structures and additional people residing on the site, the proximity of the site to the fire station would ensure that the Project would not cause an increase in response time and would not significantly impact acceptable service ratios for the surrounding fire stations. The Contra Costa County Fire Protection District (CCCFPD) has established standard requirements for developer fees related to building permits, a one-time assessment that funds the Fire District equipment and other improvements, and Benefit Assessment District fees which support the Fire District staffing. Payment of these fees and the following mitigation measures would reduce the potential impact related to fire protection services to a level of less than significant.

Impacts and Mitigation Measures:

- **Impact PS-1:** Ongoing funding of services could overburden City resources.
- **Mitigation Measure PS-1:** Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2017-1 (Fire Safety Services).

The CFD provides funding for increased fire protection and emergency services in the project area.

Annexation of the property to the City's Community Facilities District (CFD) 2017-1 would mitigate potential impact related to the additional demand for fire protection services.

- **Impact PS-2:** Project access limitations and insufficient water supply would create safety issues.
- **Mitigation Measure PS-2:** The 20-foot-wide access roadways that branch off of Liberty Court shall have signs posted or curbs painted red with the words "NO PARKING — FIRE LANE" clearly marked on both sides of the roadway.
- **Mitigation Measure PS-3:** Emergency apparatus access roadways and hydrants are required to be installed, in service, and inspected by the CCCFPD prior to construction or combustible storage on site. 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.
- **Mitigation Measure PS-4:** The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,000 gallons per minute. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 120 minutes while maintaining 20 pounds residual pressure in the main. The developer shall submit a minimum of two (2) copies of site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. Final placement of hydrants shall be determined by the CCCFPD.
- **Mitigation Measure PS-5:** All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of the National Fire Protection Association (NFPA) standard 13D or Section R313.3 of the 2016 California Residential Code. The developer shall submit a minimum of two (2) sets of plans to CCCFPD for review and approval prior to installation.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
2) Police protection?	☐	☒	☐	☐

Less Than Significant Impact with Mitigation. The City of Pittsburgh General Plan Health and Safety Element Policy No. 10-P-39 establishes a desired ratio of 1.8 sworn police officers per 1,000 residents. According to the 2016 census estimates, the total population of the City of Pittsburgh was 70,679. The proposed units have the potential to increase the population of Pittsburgh by 186 people. (57 multiplied by an average household size of 3.27).

Impacts and Mitigation Measures:

- **Impact PS-6:** The increase in demand for police services could overburden City resources, resulting in a potentially significant impact.
- **Mitigation Measure PS-6:** Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2005-1 (Public Safety Service). The CFD provides funding for increased police coverage in the project area.

Annexation of the property to the City's Community Facilities District (CFD) 2005-1 would mitigate potential impact related to the additional demand for police services.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Schools?	☐	☐	☒	☐

Less Than Significant Impact. Development of the proposed Project would require that the applicant pay school development fees as dictated by State law, prior to the issuance of building permits. The maximum developer fees that the Pittsburgh Unified School District (PUSD) currently collects are \$2.63 per square foot for new residential construction. According to Government Code Section 65996, payment of such fees constitutes full mitigation of any school impacts under CEQA. Therefore, any resulting increase in school enrollment would be offset by the required payment of PUSD's development fees. This impact is considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
4) Parks?	☐	☐	☒	☐

Less Than Significant Impact. Future development of the Project site with residential uses would result in additional people living in the City, thereby increasing demand for park services. PMC chapter 17.32, Dedication and Reservations, and PMC section 18.50.125.B, Parkland Dedication, sets forth detailed requirements for parkland dedication or fee in lieu of parkland dedication, for residential subdivisions, condominiums, and single-parcel residential developments. PMC section 17.32.020 also describes the criteria for combining fees and dedication as well as credits for private open space. These requirements are standard conditions of project approval, and as such, would be adequate to mitigate potential impacts related to increased demand for public open space. This impact is considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5) Other public facilities?	☐	☐	☒	☐

No Impact. The Project property is within the City's Landscape and Lighting District and there are no other foreseeable governmental services that would be necessary to serve the Project, therefore there would be no Project-related impacts to other public facilities.

15. Recreation:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☒	☐

Less Than Significant Impact. Future development of the Project with residential uses would result in additional people living in the City, thereby increasing demand for park services. PMC Chapter 17.32.020.D [\[3\]](#) sets forth the requirements for parkland dedication. The applicant must dedicate land or pay a fee, or dedicate land and pay a fee in combination as provided by PMC 17.32.020(D). Fees required pursuant to this subsection are calculated according to a schedule adopted by the City Council by resolution or ordinance and are payable at the time a building permit is issued. Compliance with PMC Chapter 17.32.020 would ensure that impacts to City parks from additional usage are adequately addressed, and no additional Project-specific mitigation is necessary.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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?	☐	☐	☒	☐

Less Than Significant Impact. The proposed Project would include a small park providing recreation facilities for young children. Development of the Project would require payment of fees or dedication of parkland in accordance with municipal codes requirements as noted under Initial Study Section 15.a above. This impact is considered less than significant.

16. Transportation/Traffic:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project 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. General Plan Policy 3-P-4 requires the preparation of a traffic impact analysis for projects that would generate 100 or more net new peak hour vehicle trips. Based on the published trip generation rates in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition*, the City's traffic engineer determined that the project would not exceed this threshold and therefore no traffic impact analysis is required.

Furthermore, Abrams Associates Traffic Engineering, Inc. *Trip Generation and Parking Analysis for the Proposed Liberty Residential Subdivision in the City of Pittsburgh*, [40] notes that the Project is forecast to generate 42 trips during the AM peak hour and 56 trips during the PM peak hour. Because the project will not generate 100 or more net new peak hour vehicle trips, its impact to the existing circulation system is considered less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or	☐	☐	☒	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
other standards established by the county congestion management agency for designated roads or highways?				

Less than Significant Impact. See Initial Study Section 16.a, above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒

No Impact. The Project site is not located within an airport land use plan nor is it located within two miles of an airport (Contra Costa County Airports, 2017).[\[9\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project 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 with Mitigation. As part of the *Trip Generation and Parking Analysis*, an analysis of traffic operations was prepared for the main entrance for the AM and PM peak hours of commute traffic. The existing operational conditions at the intersection were evaluated according to the requirements set forth by the City of Pittsburg. Analysis of traffic operations was conducted using the 2010 Highway Capacity Manual (HCM) Level of Service (LOS) methodology with Synchro software. For unsignalized intersections, such as the proposed project entrance with Moose Way and Central Avenue, the average control delay and LOS operating conditions are

calculated by approach (e.g., northbound) and movement (e.g., northbound left-turn) for those movements that are subject to delay. Operating conditions for unsignalized intersections are presented for the worst approach. Based on the Syncho analysis of existing and existing plus project conditions the westbound left turn movement into the proposed project is forecast to have an average queue of less than one vehicle during both the AM and PM peak hours. However, due to the random arrival nature of traffic it was recommended that a minimum storage length of 60 feet be provided to ensure the planned left turn lane will be able to accommodate at least two vehicles.

Impacts and Mitigation Measures:

- **Impact TRANS-1:** The westbound left turn movement into the proposed project is forecast to have an average queue of less than one vehicle during both the AM and PM peak hours. However, the random arrival nature of traffic may necessitate additional vehicle storage than currently provided.
- **Mitigation Measure TRANS-1:** The applicant shall provide a left turn lane into the Project site and ensure that it is long enough to accommodate at least two vehicles (60 feet). The left turn lane shall be included on the improvement plans and reviewed and approved by the City Engineer prior to issuance of an engineering permit.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Would the project Result in inadequate emergency access?	☐	☐	☒	☐

Less Than Significant. Development of the Project site would require compliance with all building, fire, and safety codes and would be subject to review and approval by the City of Pittsburgh Engineering Division, Public Works Department, and the CCCFD. Required review by these departments would ensure that the proposed circulation system for the Project site would provide adequate emergency access. Refer also to Initial Study Section 14.a Public Services above.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☒	☐

Less than significant Impact. The proposed Project will either provide or take advantage of existing pedestrian, bicycle, and mass transit facilities and will, therefore, be consistent with adopted policies, plans, or programs supporting alternative modes of transportation. The project will be required to provide new 10-foot sidewalks along Central Avenue and six-foot sidewalks along Liberty Court to encourage pedestrian travel between the subdivision and surrounding areas. The Project will also be bicycle-friendly, in that there are existing Class II bicycle lanes along Central Avenue and bicycle racks will be incorporated into each garage. Bus stops for Tri Delta Transit [19] bus routes 381, 392, and 394 are located on Railroad Avenue about a half-block west of the subdivision. The Project is also located within biking distance of the new Pittsburgh Center BART station.

17. Utilities and Service Systems:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

Less Than Significant. Wastewater services are provided by the City of Pittsburg and Delta Diablo [38] The City owns and operates the local sewage collection system. The City's collection system consists of approximately 96 miles of sewer lines. Wastewater from the proposed Project would consist of sanitary flow which would be conveyed by public sanitary sewer lines underground to the Delta Diablo wastewater plant for treatment. This plant is located north of the Pittsburg-Antioch Highway. The plant has the permitted capacity to treat 19.5 million gallons of sewage per day (mgd). In 2014, the average dry weather influent to the treatment plant was 12.9 mgd, or 66% of capacity. Therefore, flows from the proposed Project are not anticipated to result in the treatment plant exceeding its treatment requirements of the applicable Regional Water Quality Control Board (RWQCB). The proposed Project would have a less than significant impact on wastewater treatment facilities since it would utilize existing wastewater treatment capacity from a permitted connection.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project 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 utilize existing water and wastewater treatment facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Would the project 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. As discussed in Initial Study Section 9.a, the proposed project is a C.3 regulated project and is required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures. The construction of these facilities are required under the Countywide NPDES permit to minimize pollutants entering the storm drain system.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐

Less Than Significant. The City of Pittsburg is a water purveyor that obtains the majority of its potable water supply under a wholesale contract with Contra Costa Water District (CCWD). This water is diverted as raw water from CCWD's Contra Costa Canal. The remainder of the potable water supply is obtained from the City's two groundwater wells. In 2015, 87% of the City's potable supply was provided by CCWD and 13% was from local groundwater wells. The City's potable water use for 2015 was 8,772 acre-feet per year (AFY), more than 7% lower than the projected water use from the 2010 UWMP. The City operates its own water treatment plant and associated infrastructure which primarily serves customers within City limits. (City of Pittsburg 2015 Urban Water Management Plan.) [\[16\]](#)

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Would the project 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?	☐	☐	☒	☐

Less Than Significant. The Project site is within the Delta Diablo service boundary and as such, Delta Diablo would provide wastewater treatment for the proposed Project. Delta Diablo has an average dry weather design capacity to provide secondary treatment for 16.5 mgd. (Delta Diablo, 2017). [38] Delta Diablo sets forth the required fees for connection to Delta Diablo's facilities, including a Capital Facilities Capacity Charge and Pro-rated sewer charge.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐

Less Than Significant. The proposed Project would be served by Pittsburg Disposal Service, which provides solid waste pick-up and disposal services to most of the city. Solid waste generated within the City of Pittsburg is disposed of at the Keller Canyon landfill. The Keller Canyon landfill has a permitted capacity of 75 million cubic yards, with 12 million cubic yards (16 percent) used and 63 cubic yards (84 percent) remaining. (CalRecycle, 2017) [32, 33] Therefore, the potential impact related to solid waste disposal needs would be less than significant.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Would the project comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

No Impact. The proposed project is not a class of project that is generally recognized as having a potential to violate applicable statutes and regulations related to solid waste; therefore, there would be not impact.

18. Mandatory Findings of Significance:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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. The Project has very low 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 or 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.

	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. The Project would not have impacts that are individually limited, or cumulatively considerable. The Project site was previously developed. Over time, the surrounding area has been developed. The Project would be an infill development. With the exception of existing sewer and water main lines which will be upgraded by the developer, the existing public infrastructure is adequate to serve this development.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Less Than Significant Impact. 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 the preceding sections of this Initial Study Checklist. As described in the preceding sections of this Initial Study Checklist, the Project would have no impact or less than a significant impact on agriculture and forest resources, greenhouse gas emissions, hazards and hazardous materials, land use and planning, mineral resources, population and housing, and recreation. With recommended mitigation measures contained in this Initial Study Checklist, the proposed Project would have less than significant impacts related to

aesthetics, air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, noise, public services, transportation and utilities, and service systems. The Project is anticipated to provide an overall environmental benefit through the removal of a vacant, outdated facility and construction of new housing units located in proximity to multi-modal transportation.

REFERENCES/SOURCES CITED

1. City of Pittsburg. General Plan, 2020.
<http://www.ci.pittsburg.ca.us/index.aspx?page=228>
2. Railroad Avenue Specific Plan
<http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=3500>
3. City of Pittsburg Municipal Code (PMC) and Zoning Map.
<http://www.codepublishing.com/CA/Pittsburg/>
4. 2017 City of Pittsburg Emergency Operations Plan (EOP)
<http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=8702>
5. City of Pittsburg Standard Conditions of Approval.
6. City of Pittsburg 2015 Urban Water Management Plan.
<http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=8283>
7. Community Facilities District (CFD) 2005-1 for Public Safety Services, City Council Resolution No. 06-10611.
8. Contra Costa County Environmental Health Department, Hazardous Materials Program,
www.envirostor.dtsc.ca.gov/public/profilereport.asp?globalid=07290042
9. Contra Costa County Airports, www.co.contra-costa.ca.us/depart/pw/airport/.
10. California Department of Toxic Substances Control. Map Locator.
<https://www.envirostor.dtsc.ca.gov/public/>.
11. East Contra Costa County Habitat Conservation Plan Association. *East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan*. December 19, 2006. <http://www.co.contra-costa.ca.us/depart/cd/water/HCP/documents.html>
12. Application Form and Planning Survey Report, East Contra Costa County Habitat Conservancy Application, Liberty Residential Subdivision, prepared by Swaim Biological, inc. June 6, 2017
13. CDFW CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012).
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>.

14. Federal Flood and Insurance Rate Map, Panel 138, Map No. 06013C0138F, September 30, 2015
15. Google Earth and Google Maps
16. Contra Costa Clean Water Program STORMWATER C.3 GUIDE BOOK may 17, 2017, http://www.cccleanwater.org/wp-content/uploads/2013/01/Stormwater_C3_Guidebook_7th_Edition_2017-05-12.pdf
17. California Emission Estimator Model (CalEEMod) <http://www.aqmd.gov/caleemod/user%27s-guide>
18. Site Visits. 7/13/17
19. Tri-Delta Transit System Map, <http://www.trideltatransit.com/localbus.aspx>.
20. U.S. Census Bureau. U.S. Census 201- Demographic Profile Data, www.census.gov/.
21. U.S. Census Bureau. Quick Facts Pittsburg City, California; United States: Population Estimates. <https://www.census.gov/quickfacts/fact/table/pittsburgcitycalifornia,US/PST045217#viewtop>
22. Bay Area Air Quality Management District Updated CEQA Guidelines, 2017, http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en
23. Bay Area Air Quality Management District, Air Quality Standards and Attainment Status, hank.baaqmd.gov/pln/airquality/ambientairquality.htm.
24. Bay Area Air Quality Management District. *2017 Clean Air Plan: Spare the Air, Cool the Climate*. http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en. April 19, 2017.
25. Bay Area Air Quality Management District. *2016 Air Monitoring Network Plan*. http://www.baaqmd.gov/~media/files/technical-services/2016_network_plan-pdf.pdf?la=en. July 1, 2017
26. BAAQMD California Air Quality Standards and Attainment Status <http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status>

27. California Scenic Highway Mapping System.
www.dot.ca.gov/hq/LandArch/scenichighways/index.htm.
28. California Department of Conservation, California Geological Survey, Alquist-Priolo Earthquake Fault Zones (2010),
www.consrv.ca.gov/cgs/rghm/ap/affected.htm.
29. California Department of Conservation, Earthquake Shaking Potential Map, (2008),
www.consrv.ca.gov/cgs/rghm/psha/Pages/index.aspx.
30. California Department of Conservation, Contra Costa County Tsunami Inundation Map.
http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/ContraCosta.
31. California Department of Toxic Substances Control, Map Locator,
www.envirostor.dtsc.ca.gov/public/.
32. CalRecycle, Facility and Site Summary Details,
www.calrecycle.ca.gov/SWFacilities/Directory/48-AA-0075/Detail/.
33. CalRecycle, Residential Development: Estimated Solid Waste Generation Rates,
<http://www.calrecycle.ca.gov/wastechar/wastegenrates/Residential.htm>.
34. Farmland Mapping and Monitoring Program website:
<ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/con14.pdf>
35. Governor's Office of Planning and Research (OPR) Technical advisory ON EVALUATING TRANSPORTATION IMPACTS IN CEQA
<http://www.opr.ca.gov/ceqa/updates/sb-743/>
36. Williamson Act Program website:
ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Contra_Costa_12_13_WA.pdf (accessed September 12, 2017)
37. The Arborist Report for 350 Central Avenue, Pittsburg prepared by Traverso Tree Service, dated July 24, 2017
38. Delta Diablo: <http://deltadiablo.org/about-us>)
39. Caltrans DOT District 4, Liberty Residential Subdivision — Project Referral, March 9, 2017)

40. Trip Generation and Parking Analysis for the Proposed Liberty Residential Subdivision in the City of Pittsburg, prepared by Abrams Associates Traffic Engineering, Inc. dated February 5, 2018
41. Updated General Plan Figure 7-4
<http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=7392>
42. Table 7-5 Bicycle Facilities, Pittsburg Planning Area
<http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=7391>
43. Complete Streets General Plan Inventory (Revised 7/7/2015)
<http://www.ci.pittsburg.ca.us/Modules/ShowDocument.aspx?documentid=7393>
44. Soil Vapor Investigation Report, Central Avenue Project, 338 - 350 Central Avenue, Pittsburg, California, prepared by TRC, dated February 10, 2017
45. PHASE I FEASIBILITY ASSESSMENT, Former Pepsi Bottling Group Site, December 30, 2003, prepared by Eclipse Environmental Services and CSS Environmental Services, Inc.
46. Report of Phase I and Phase II, Environmental Site Assessment, September 30, 2004, Prepared by Gribi Associates
47. Transmittal of Case Closure Letter and Site Closure Summary for Former Pepsi Bottling Group Site, 338 Central Avenue, Pittsburg, Contra Costa County. UST Case No. 07-0233, dated August 19, 2008, California Regional Water Control Board San Francisco Region
48. National Historic Preservation Act of 1966
<https://www.nps.gov/history/local-law/nhpa1966.htm>
49. Feasibility Level Geotechnical Investigation for 350 Central Avenue Residential Lot Development, prepared by TRC, dated September 11, 2007
50. State Water Resources Control Board
https://www.waterboards.ca.gov/water_issues/programs/stormwater/

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
AE-1: The proposed project would introduce new sources of exterior light which could adversely affect nighttime views by increasing the amount of glare, skyglow, light trespass, and light clutter in the neighborhood.	Street Lights (Measure AE-1): The design of the street lights shall be down-focused and indicated on the final development plan to be submitted. A street light plan shall be submitted to the City for review and approval prior to approval of the Project's improvement plans.	Applicant and City of Pittsburgh Community Development Services Department	Prior to approval of improvement plans	
AQ-1: Air quality and fugitive dust-related impacts associated with grading and new construction could result in a significant impact.	Construction BMPs (Measure AQ-1 and 2): The contractor shall implement the following best management practices (BMPs) during construction of the Project: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day and as needed during windy areas to keep site free of airborne dust from construction activities. All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used. • Idling times shall be minimized either by	Applicant and City of Pittsburgh Community Development Services Department	During construction	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • A publicly visible sign shall be posted with the name and telephone number for the contact at the Lead Agency for dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. • All diesel-powered mobile equipment larger than 50 horsepower (e.g. loaders, excavators, or graders) and operating on the site for more than two days consecutively shall meet U.S. Environmental Protection Agency (U.S. EPA) particulate matter emissions standards for Tier 2 engines or equivalent; or alternative measures such as the use of alternative-powered equipment (e.g. LPG-powered forklifts), alternative fuels (e.g. biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City of Pittsburg;			

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	• All diesel-powered portable equipment (e.g. generators and compressors) operating on the site for more than two days consecutively shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent; or the construction contractor shall use alternative-powered equipment (e.g. LPG-powered forklifts), alternative fuels (e.g. biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City of Pittsburgh; • Line power shall be provided to the site during the building construction phases to minimize diesel-powered generator use; and • Equipment hours of operation shall be minimized including the use of idling restrictions.			
BIO-1 through BIO-5: A majority of the Project site is identified as ruderal land in the adopted ECC HCP/NCCP. While there is a low probability, the potential for burrowing owls exists.	Take Authorization (Measure BIO-1): The applicant is required to obtain permit coverage under the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan ("ECCC HCP/NCCP"). All applicable standard avoidance and minimization measures of the ECCC HCP/NCCP, as outlined in the draft Planning Survey Report (PSR) dated June 6, 2017, are incorporated as additional mitigations. With the incorporation of these mitigations, the project will be eligible to receive take authorization under the City's incidental take permit from the United States Fish and Wildlife Service (USFWS) issued pursuant to Section 10(a)(1)(B) of the	Applicant and City of Pittsburgh Community Development Services Department	Prior to issuance of any engineering or building permits	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	Federal Endangered Species Act (permit number: TE 160958-0) and the City's incidental take permit from the California Department of Fish and Wildlife (CDFW) issued pursuant to California Fish and Wildlife Code Section 2835 (permit number 2835-2007-01-03). ECC HCP/NCCP Development Fees (Measure BIO-2): Prior to the issuance of grading or construction permits for the project site, the applicant shall pay the final required ECCC HCP/NCCP development fee in effect for Zone I, in compliance with PMC Section 15.108.070 (note that the fee is subject to annual adjustments, in accordance with Chapter 9.3.1 of the ECCC HCP/NCCP). The final fee shall be paid for approximately 4.24 acres of land to be permanently disturbed, as identified in the draft PSR, which is subject to final review and approval by the Pittsburg Community Development Department. Preconstruction Surveys for Burrowing Owl (Measure BIO-3): Prior to any ground disturbance related to covered activities, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey in areas identified in the planning surveys as having potential burrowing owl habitat. The surveys shall establish the presence or absence of Western Burrowing Owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall survey the	Applicant and City of Pittsburg Community Development Services Department Applicant and City of Pittsburg Community Development Services Department	Prior to issuance of grading or construction permits Prior to any ground disturbance	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed. Surveys should take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no more than 30 days prior to construction. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1– January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. Copies of both surveys shall be submitted to ECCC Habitat Conservancy and the City for review and approval. Avoidance and Minimization and Construction Monitoring for Burrowing Owl (Measure BIO-4): If burrowing owls are found during the breeding season (February 1–August 31), the project proponent shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non- disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun	Applicant and City of Pittsburg Community Development Services Department	During construction	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1– January 31), the project proponent should avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing. If occupied burrows for burrowing owls are not avoided, passive relocation shall be implemented. Owls should be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors should be in place for 48 hours prior to excavation. The project area should be monitored daily for a week to confirm that the owl has abandoned the burrow. Whenever possible burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.			

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	Replacement Tree In-Lieu Fees (Measure BIO-5): Prior to the removal of a protected tree, the applicant shall select one of the following options for compliance with PMC section 18.84.885: a) replacement of the removed trees at a four-to-one ratio with 24-inch box trees; b) replacement of the trees at a twelve-to-one ratio with 15-gallon trees; c) payment of in-lieu fees equal to the replacement trees' value, installation costs and one year of maintenance costs, as calculated with a twelve-to-one ratio of 15-gallon trees; or d) a combination of replacement and payment of in-lieu fees.	Applicant and City of Pittsburgh Community Development Services Department	Prior to removal of a protected tree	
CR-1: Due to the previous development on the site the potential for buried remains and artifacts is low, however the following mitigation measure assures compliance with the National Historic Preservation Act of 1966.	Archaeological Resource Discovery (Measure CR-1): Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be instructed by a representative of the Owner 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 Owner's representative if such resources are discovered. In the event of a discovery, the City shall be promptly notified 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	Applicant and City of Pittsburgh Community Development Services Department	During construction	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	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.			
GEO-1: Liquefaction during an earthquake can cause significant damage to people and structures.	Liquefaction Evaluation (Measure GEO-1): A complete liquefaction evaluation shall be performed as a part of the design-level geotechnical investigation. The liquefaction evaluation shall be submitted with the design level geotechnical study when the grading plans are submitted.	Applicant and City of Pittsburg Community Development Services Department	Submitted with design level geotechnical study and grading plans	
GEO-2: Because there is a potential for expansive soils on the Project site, there is a potential for structural damage. This creates a substantial risk to life or property.	Geotechnical Report (Measure GEO-2): Prior to the approval of improvement plans and issuance of a grading permit, the Applicant shall submit a design-level geotechnical report to the City of Pittsburg Engineering Division for review and approval. The standard City requirements for a design level report include, at a minimum: 1) compaction specifications for on-site soils; 2) road and pavement design; 3) structural foundations; 4) grading practices; 5) erosion/winterization; and 6) expansive/unstable soils.	Applicant and City of Pittsburg Community Development Services Department	Prior to approval of improvement plans and issuance of a grading permit	
HYD-1 through HYD-6: The proposed project is a C.3 regulated project and is required to include appropriate site design measures, source controls, and hydraulically-sized stormwater treatment measures.	Stormwater Control Plan and Report (Measure HYD-1): The developer shall submit a complete Stormwater Control Plan and Report for the Liberty Residential Subdivision. The C.3 treatment facilities shall be adequately sized to treat the stormwater runoff from the associated drainage management areas. In the event	Applicant and City of Pittsburg Community Development Services Department	Prior to approval of improvement plans and issuance of a grading permit	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	it is discovered that the treatment facilities on-site does not provide adequate capacity, the developer shall provide off-site treatment at another facility. The offsite facility shall be retrofitted or constructed to meet current C.3 standards, and provide the equivalent capacity that was infeasible at the on-site facility. The developer may choose to submit an alternative C.3 compliance plan, subject to approval by the City Engineering Division. Consistency with Stormwater Control Plan (Measure HYD-2): 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, or an alternative C.3 compliance plan approved by the City Engineering Division, 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. Stormwater Facility Details (Measure HYD-3): 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 features, measures to limit directly connected impervious area, pervious pavements, self-retaining areas, treatment BMPs,	Applicant and City of Pittsburgh Community Development Services Department Applicant and City of Pittsburgh Community Development Services Department	Prior to approval of improvement plans and issuance of a grading permit Prior to approval of improvement plans and issuance of a grading permit	

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MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants. Stormwater BMP O&M Plan and Maintenance Agreement (Measure HYD-4): The developer shall submit the final draft of the Stormwater BMP Operation and Maintenance Plan and Operations and Maintenance Agreement for the project's C.3 facilities, or alternative C.3 compliance plan to the Engineering Division for review prior to the first final building permit approval. The developer shall also execute the, which pertain to the transfer of ownership and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook. Annexation to CFD 2016-1 (Measure HYD-5): Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2016-1 (Maintenance of Project Facilities and Future Annexation Area). The CFD provides funding for on-site project and off-site stormwater treatment facilities.	Applicant and City of Pittsburg Community Development Services Department Applicant and City of Pittsburg Community Development Services Department	Prior to approval of improvement plans and issuance of a grading permit Prior to issuance of any engineering or building permits	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	SWPPP (Measure HYD-6): The developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit two (2) copies to the Engineering Division for review and comment prior to the issuance of a Grading Permit. 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. The developer shall provide the project WDID number as evidence of having obtained a construction permit from the Regional Water Quality Control Board. If a WDID number has not yet been issued, a copy of the Notice of Intent that was sent to the Regional Water Quality Control Board shall be submitted with the grading permit application.	Applicant and City of Pittsburgh Community Development Services Department	Prior to approval of improvement plans and issuance of a grading permit	
NOI-1 through NOI-2: Because residential land uses proposed at the Project site would be exposed to exterior and interior noise levels greater than normally acceptable noise levels standards required by the General Plan, noise impacts to proposed sensitive receptors would be considered potentially significant.	Acoustical Review and Window Rating (Measure NOI-1): Prior to the issuance of building permits, a qualified acoustical consultant shall review final site plans, building elevations, and floor plans to confirm that the design results of interior noise levels are reduced to 45 dBA CNEL or lower. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to the issuance of a building permit. All upper-floor windows of residences adjacent to Central Avenue (homes on Lots 1-4 and 54-57) and the UPRR tracks (homes on Lots 24-33) shall be upgraded to a Sound	Applicant and City of Pittsburgh Community Development Services Department	Prior to issuance of building permits	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	Transmission Class (STC) rating of 32.			
	Forced-Air Mechanical Ventilation (Measure NOI-2): Prior to the issuance of Building Permits, the applicant shall show on the construction drawings that a suitable form of forced-air mechanical ventilation shall be installed as determined by the City Building Official, for units throughout the site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.	Applicant and City of Pittsburgh Community Development Services Department	Prior to issuance of building permits	
NOI-3: Noise from construction activities could contribute to the existing noise environment and have a potential significant impact on adjacent properties.	Construction Noise (Measure NOI-3): Prior to the issuance of construction permits, the contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities are scheduled to minimize noise disturbance. The plan shall implement, but not be limited to, the following available control measures to reduce construction noise levels as low as practical: • Construction activities shall be limited to the hours between 7:00 AM and 5:30 PM, Monday through Friday. Saturday work is subject to approval by the City Engineer. No construction activities should occur on Sundays or federal Holidays (consistent with General Plan Policy 12-P-9 and as approved by the City Engineer and Chief Building Official);	Applicant and City of Pittsburgh Community Development Services Department	Prior to issuance of construction permits	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
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Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	• Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment; • Prohibit all unnecessary idling of internal combustion engines; • Utilize “quiet” models of air compressors and other stationary noise sources where technology exists; • Locate all stationary noise-generating equipment, such as air compressors and portable power generators as far away as possible from adjacent residential land uses; • Locate construction staging areas and construction material storage areas as far away as possible from adjacent residential land uses; • Designate a “Disturbance Coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (i.e. starting work too early) and would require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator for the construction site and include the telephone number in the notice sent to neighbors regarding the construction schedule; and • Hold a preconstruction meeting with job inspectors and the general contractor/on-			

Exhibit B of Resolution No. 10099
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Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule and noise coordinator) are complied with.			
PS-1: Ongoing funding of services could overburden City resources.	Annexation to CFD 2017-1 (Measure PS-1): Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2017-1 (Fire Safety Services). The CFD provides funding for increased fire protection and emergency services in the project area.	Applicant and City of Pittsburg Community Development Services Department	Prior to issuance of any engineering or building permits	
PS-2 through PS-5: Project access limitations and insufficient water supply would create safety issues.	Fire Lane (Measure PS-2): The 20-foot-wide access roadways that branch off of Liberty Court shall have signs posted or curbs painted red with the words "NO PARKING — FIRE LANE" clearly marked on both sides of the roadway.	Applicant and Contra Costa County Fire Protection	Prior to issuance of construction permits	
	Emergency Apparatus Access and Hydrants (Measure PS-3): Emergency apparatus access roadways and hydrants are required to be installed, in service, and inspected by the Contra Costa County Fire Protection District (CCCFPD) prior to construction or combustible storage on site. 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.	Applicant and Contra Costa County Fire Protection	Prior to issuance of construction permits	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

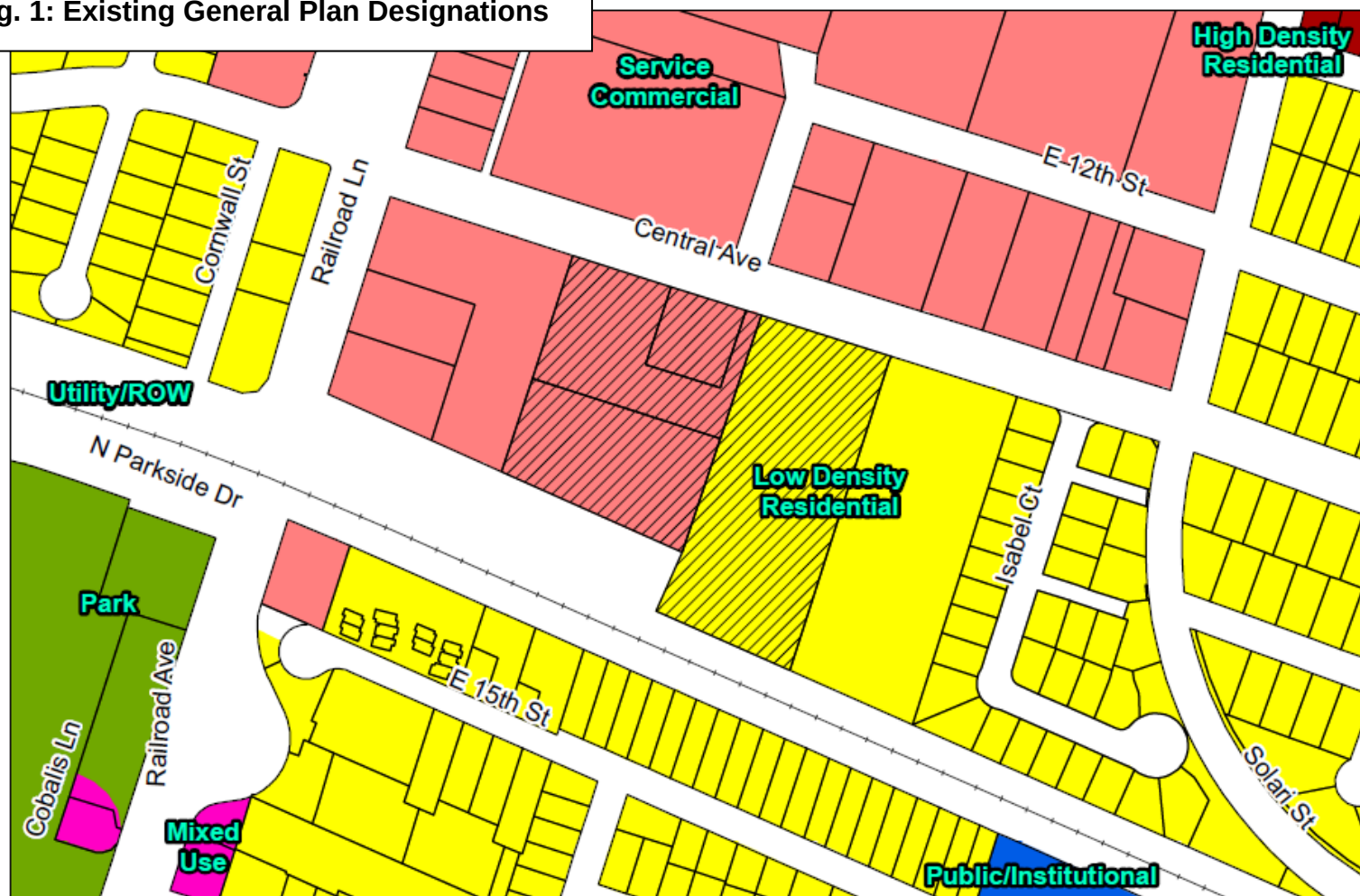
Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
	Water Supply for Fire Protection (Measure PS-4): The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,000 gallons per minute. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 120 minutes while maintaining 20 pounds residual pressure in the main. The developer shall submit a minimum of two (2) copies of site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. Final placement of hydrants shall be determined by the CCCFPD.	Applicant and Contra Costa County Fire Protection	Prior to issuance of construction permits	
	Fire Sprinklers (Measure PS-5): All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of the National Fire Protection Association (NFPA) standard 13D or Section R313.3 of the 2016 California Residential Code. The developer shall submit a minimum of two (2) sets of plans to CCCFPD for review and approval prior to installation.	Applicant and Contra Costa County Fire Protection	Prior to issuance of construction permits	
PS-6: The increase in demand for police services requires funding for public safety services.	Annexation to CFD 2005-1 (Measure PS-6): Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2005-1 (Public Safety Service). The CFD provides funding for increased police coverage in the project area.	Applicant and City of Pittsburg Community Development Services Department	Prior to issuance of construction permits	

Exhibit B of Resolution No. 10099
MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Environmental Impact	Mitigation Measure	Monitoring Responsibility	Mitigation Timing	Verification (Signature and Date)
Trans-1: The westbound left turn movement into the proposed project is forecast to have an average queue of less than one vehicle during both the AM and PM peak hours. However, the random arrival nature of traffic may necessitate additional vehicle storage than currently provided.	Left Turn Lane into Subdivision (Measure TRANS-1): The applicant shall provide a left turn lane into the Project site and ensure that it is long enough to accommodate at least two vehicles (60 feet). The left turn lane shall be included on the improvement plans and reviewed and approved by the City Engineer prior to issuance of an engineering permit.	Applicant and City of Pittsburg Community Development Services Department	Prior to issuance of construction permits	

Exhibit C of Resolution No. 10099
General Plan Map Amendment

Fig. 1: Existing General Plan Designations



Legend

 APNs: 086-160-009, -011, -012, and 086-151-001  Parcels

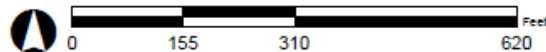
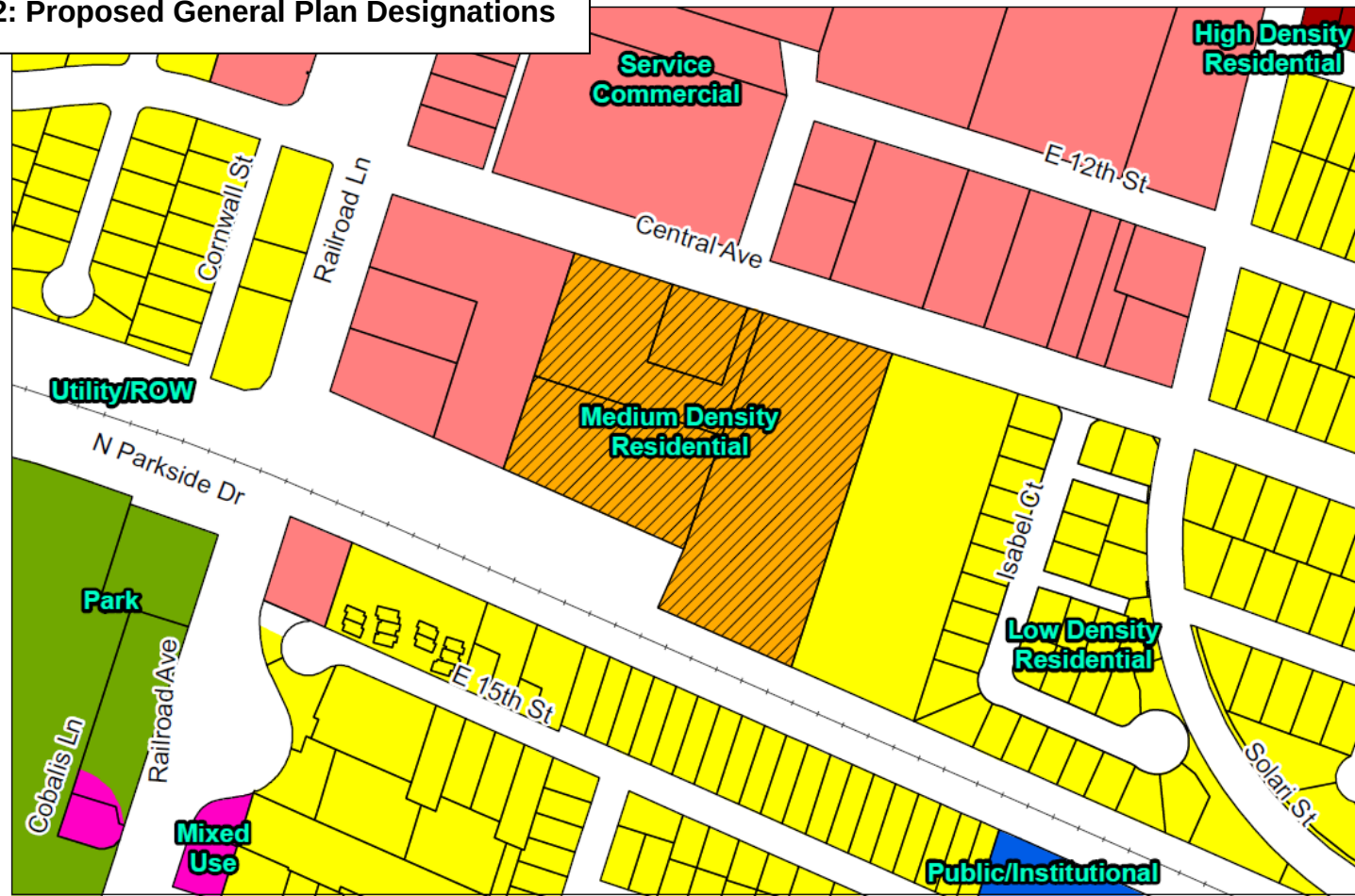


Exhibit C of Resolution No. 10099
General Plan Map Amendment

Fig. 2: Proposed General Plan Designations



Legend

 APNs: 086-160-009, -011, -012, and 086-151-001  Parcels

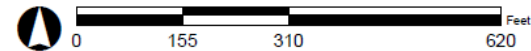


Exhibit D of Resolution No. 10099
Planned Development (PD) Plan

Fig. 1: Existing Zoning



Legend

 APNs: 086-160-009, -011, -012, and 086-151-001  Zoning Districts  Parcels

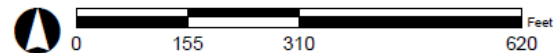
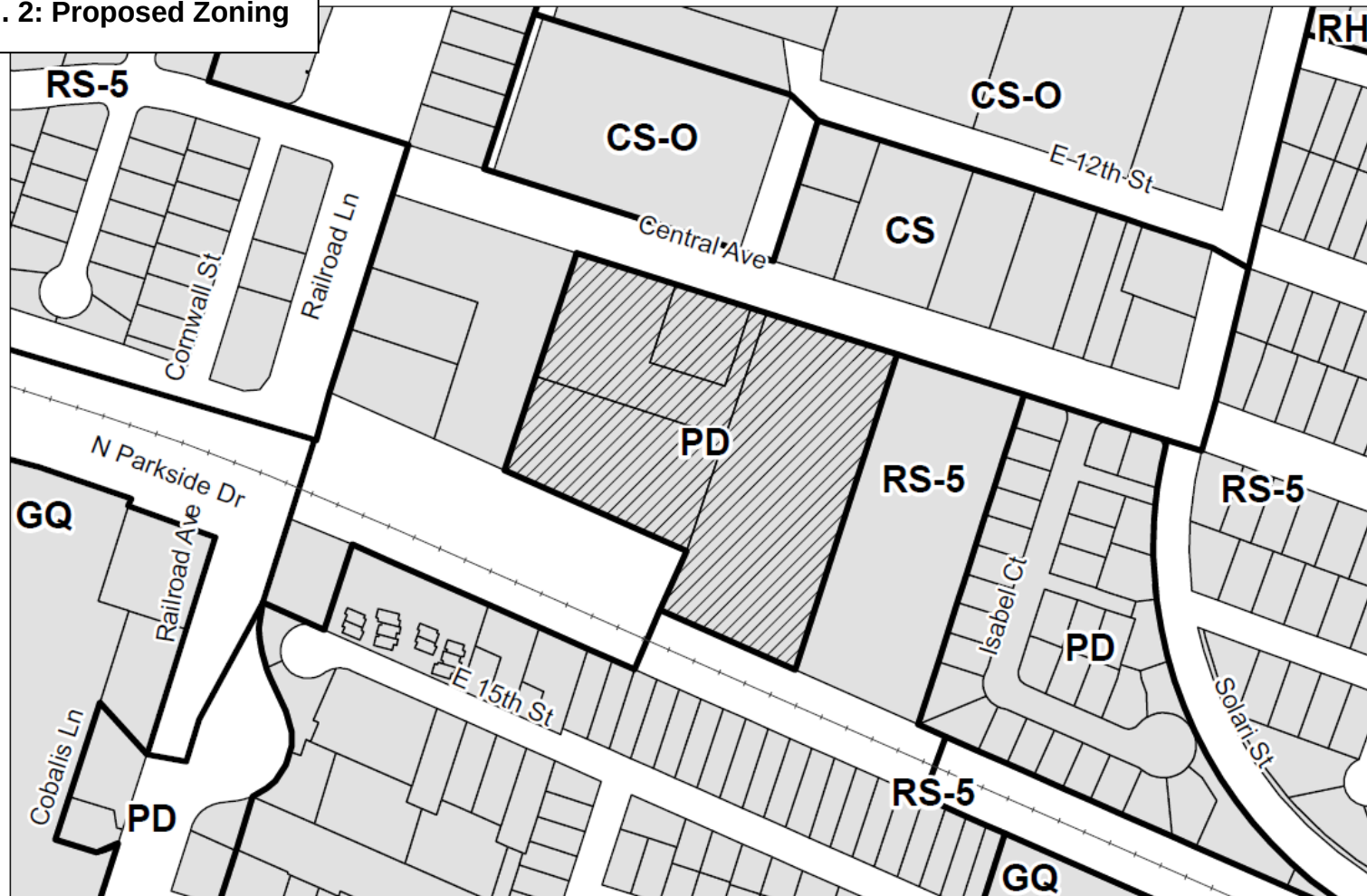


Exhibit D of Resolution No. 10099
Planned Development (PD) Plan

Fig. 2: Proposed Zoning



Legend

APNs: 086-160-009, -011, -012, and 086-151-001 Zoning Districts Parcels



**Exhibit D of Resolution No. 10099
Planned Development (PD) Plan**

Purpose and Applicability

The purpose of this PD Plan is to establish land use and development regulations for a 57-unit, single-family residential subdivision on a 4.98-acre site located 350 Central Avenue (APNs: 086-160-009, -011, -012, and 086-151-001).

Land Use Regulations

The land uses allowed in the PD (Planned Development) District (shown in Figure 2) shall be the same as those allowed in the RS-4 (Single-Family Residential) District (Pittsburg Municipal Code [PMC] Chapter 18.50).

Development Regulations

Except as indicated in the table at right, all development regulations of the PD District shall be the same as those of the RS-4 District. Use and development of the property would also comply with Article 3 (Performance Standards) and Article 5 (Home Occupations) of PMC Chapter 18.50, and with the off-street parking requirements of PMC Chapter 18.78.

PD Development Regulations	
Min. Lot Size	2,000 sq. ft.
Min. Lot Width	40 ft.
Min. Front Yard (fronting on public street)	9 ft.
Min. Front Yard (fronting on private cluster road)	4 ft.
Min. Corner Side Yard (next to public street)	9 ft.
Min. Corner Side Yard (next to private cluster road)	4 ft.
Min. Interior Side Yard	4 ft.
Min. Rear Yard	4 ft.
Max. Encroachment into a Required Yard	1 ft.
Max. Lot Coverage	60%
Max. Building Height	28 ft.
<i>Note: The development regulations above shall not apply to non-residential parcels including motor courts.</i>	

**Exhibit E – Development Agreement
Resolution No. 10099**

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Forecast Land Investment, LLC
4061 Port Chicago Hwy., Suite H
Concord, CA 94520
Attention: Legal Department

City of Pittsburg
65 Civic Avenue
Pittsburg, CA 94565
Attention: City Clerk

(Space Above This Line Reserved For Recorder's Use)

**DEVELOPMENT AGREEMENT
BETWEEN
THE CITY OF PITTSBURG, CALIFORNIA
AND
FORECAST LAND INVESTMENT, LLC
(Liberty Subdivision)**

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DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the “**Agreement**”) is entered into as of the Effective Date between FORECAST LAND INVESTMENT, LLC, a California limited liability company (“**Developer**”), and the CITY OF PITTSBURG, a California municipal corporation (“**City**”), pursuant to California Government Code § 65864 *et seq.* The Effective Date is _____, 2018.

RECITALS

A. To strengthen the public planning process, encourage private participation in comprehensive planning and reduce the economic risk of development, the Legislature of the State of California enacted California Government Code § 65864 *et seq.*, which authorizes City to enter into an agreement with any person having a legal or equitable interest in real property regarding the development of such property.

B. Pursuant to California Government Code § 65865, City has adopted procedures and requirements for the consideration of development agreements (Resolution No. 89-7466). This Development Agreement has been processed, considered and executed in accordance with such procedures and requirements.

C. Developer has a legal interest in certain real property consisting of approximately 4.9 acres, as more particularly described in the **Exhibit A** attached hereto (the “**Property**” or “**Project**”), and as diagrammed in the attached **Exhibit A-1** (the “**Project Site**”).

D. Developer filed applications with the City requesting to obtain a vesting tentative map to subdivide the Project Site into fifty-seven (57) single-family residential lots, and related infrastructure.

E. On _____, 2017, the Planning Commission adopted Resolution No. _____ recommending City Council approval of: 1) a General Plan Amendment; 2) a zoning amendment; 3 approving a Vesting Tentative Map No. ____ to subdivide the Property into fifty-seven (57) single-family residential lots, and related infrastructure; 2) approving the design of architectural and landscape plans; and 4) recommending City Council approval of a development agreement.

The approvals and development policies described in these Recitals, together with this Agreement, are collectively referred to herein as the “**Project Approvals**.”

F. City has determined that the Project presents certain public benefits and opportunities which are advanced by City and Developer entering into this Agreement. This Agreement will, among other things, require conditions of approval and other exactions resulting in:

1. Developer’s commitment that it will comply with PMC 18.86.080 by building six (6) rental secondary units, as set forth in Section 3.09 of this Agreement.

2. The inclusion of the Project Site into the City’s existing Community Facilities District 2007-1 at no cost to the City, in order to provide funding for certain park

maintenance costs, as set forth in Section 5.05 of this Agreement. Developer understands that the Project Site is included within the City's existing Citywide Landscaping and Lighting Assessment District No. 88-01 that provides funding for certain landscape and lighting costs.

3. The inclusion of the Project Site into the City's existing police services Community Facilities District 2005-1, at no cost to the City, to provide for police and other emergency services for the Project Site, as set forth in Section 5.06 of this Agreement.

4. The inclusion of the Project Site into the City's existing fire safety and emergency services Community Facilities District 2017-1, at no cost to the City, to fund fire and emergency services as set forth in Section 5.07 of this Agreement.

5. The inclusion of the Project Site into the City's existing Community Facilities District 2016-1, at no cost to the City, to provide funding for the continuous maintenance of certain off-site stormwater treatment facilities as set forth in Section 5.05 of this Agreement.

6. Payment of an In-Lieu Parkland Dedication Fees to fund the development of public park facilities, as set forth in Section 5.09 of this Agreement.

G. In exchange for the benefits to City described in the preceding Recital F and others set forth herein, Developer will receive by this Agreement assurances that it may proceed with the long term phased development of the Project in accordance with the "Applicable Law" (defined herein), and therefore desires to enter into this Agreement.

H. The City Council, after conducting a duly noticed public hearing, has found that this Agreement is consistent with the General Plan and has conducted all necessary proceedings in accordance with the City's rules and regulations for the approval of this Agreement.

I. The City Council, on _____, 2018, at a duly noticed public hearing adopted Ordinance No. 18-_____, approving and authorizing the execution of this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the covenants and obligations set forth herein, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

ARTICLE I DEFINITIONS

"Administrative Agreement Amendment" shall have that meaning set forth in Section 7.02 of this Agreement.

"Administrative Project Amendment" shall have that meaning set forth in Section 7.01 of this Agreement.

"Affordable Housing Agreement" shall have that meaning set forth in Section 3.09 of this Agreement.

"Agreement" shall mean this development agreement.

"Applicable Fees" shall have that meaning set forth in Section 3.04 of this Agreement.

"Applicable Law" shall have that meaning set forth in Section 6.03 of this Agreement.

"Buildout" shall mean the City's issuance to Developer of the last certificate of occupancy required for any portion of the Project Site.

"CEQA" shall mean the California Environmental Quality Act.

"Changes in the Law" shall have that meaning set forth in Section 6.07 of this Agreement.

"City" shall mean the City of Pittsburg, a California municipal corporation.

"Complaining Party" shall have that meaning set forth in Section 10.01 of this Agreement.

"Day" or **"days"** shall mean calendar day or calendar days.

"Default Notice" shall have that meaning set forth in Section 10.01 of this Agreement.

"Defaulting Party" shall have that meaning set forth in Section 10.01 of this Agreement.

"Deficiencies" shall have that meaning set forth in Section 9.02(a) of this Agreement.

"Developer" shall mean Discovery Builders, Inc., a California corporation.

"Effective Date" shall have that meaning set forth in Section 2.01 of this Agreement.

"Fair Share" shall mean the proportionate share which the Developer, or other party, shall bear of the improvement, facility, or structure which is providing service to the Project, Developer or other party. The term "fair share" or similar terms used herein are not intended by the parties to this Agreement to impose a different or higher burden of proof on the City as to its fees, charges, or other exactions, than exists under applicable State or federal law.

"Funding Mechanisms" shall have that meaning set forth in Section 3.08 of this Agreement.

"General Plan" shall have that meaning set forth in Recital H of this Agreement.

"HCP" shall mean the East Contra Costa County Habitat Conservation Plan.

"Judgment" shall have that meaning set forth in Section 9.02(a) of this Agreement.

"LLD" shall have that meaning set forth in Section 5.05 of this Agreement.

“Non-Assuming Transferee” shall have that meaning set forth in Section 8.03 of this Agreement.

“Notice of Compliance” shall have that meaning set forth in Section 8.04 of this Agreement.

“Periodic Review” shall have that meaning set forth in Section 10.03 of this Agreement.

“Police Services District” shall have that meaning set forth in Section 5.06 of this Agreement.

“Project” shall have that meaning set forth in Recital C of this Agreement.

“Project Approvals” shall have that meaning set forth in Recitals A through E of this Agreement.

“Project Site” shall have that meaning set forth in Recital C of this Agreement.

“Public Improvements” shall have that meaning set forth in Article XI of this Agreement.

“Subsequent Approvals” shall mean those certain other land use approvals, entitlements, and permits other than the Project Approvals that are necessary or desirable for the Project. The Subsequent Approvals may include, without limitation, the following: amendments of the Project Approvals, design review approvals, improvement agreements, use permits, grading permits, building permits, lot line adjustments, sewer and water connection permits, certificates of occupancy, subdivision maps, PD Plans, rezonings, development agreements, permits, resubdivisions, and any amendments to, or repealing of, any of the foregoing.

“Term” shall have that meaning set forth in Section 2.02 of this Agreement.

“Transfer Agreement” shall have that meaning set forth in Section 8.02(a) of this Agreement.

If any capitalized terms contained in this Agreement are not defined above, then any such terms shall have the meaning otherwise ascribed to them in this Agreement.

ARTICLE II EFFECTIVE DATE; TERM

Section 2.01 **Effective Date.** This Agreement shall become effective upon the date the ordinance approving this Agreement becomes effective (the **“Effective Date”**).

Section 2.02 **Term.** The term of this Agreement shall commence upon the Effective Date and continue for a period of ten (10) years (the **“Term”**). However, at such time as Developer has complied with all conditions in this Agreement, and upon the City Manager’s written authorization, this Agreement shall terminate and be of no further effect

between the parties. The termination shall not alter any of the Project Approvals and related matters as to the Project.

ARTICLE III OBLIGATIONS OF DEVELOPER

Section 3.01 **Obligations of Developer Generally.** The parties acknowledge and agree that the City's agreement to perform and abide by the covenants and obligations of City set forth in this Agreement is a material consideration for Developer's agreement to perform and abide by its long term covenants and obligations, as set forth herein. As material consideration for the long term assurances and vested rights provided by this Agreement and as a condition of approval to one or more of the Project Approvals, Developer agrees to each of the following:

Section 3.02 **Facility Reserve Charges.** Developer agrees to pay City's Facility Reserve Charges ("FRC") as set or modified by the City Council from time to time.

Section 3.03 **Water Infrastructure.** Developer shall comply with the 2015 Water System Master Plan, as amended.

Section 3.04 **Applicable Fees.** City may levy development fees and charges during the term of this Agreement relative to the development of the Project Site which are in force and effect as of the Effective Date, or which are in effect at the time payment of those fees are due as more particularly described and according to the payment schedule set forth on **Exhibit B** ("**Applicable Fees**"). Unless otherwise provided in this Agreement, no development fees, or charges, or categories thereof, shall be imposed on the Project other than those fees (including categories within such fees), and charges identified as Applicable Fees on **Exhibit B**, which exhibit shall exclusively govern the Applicable Fee payment schedule. The parties agree that any and all Project development fees, charges or exactions related to schools, fire prevention, water, sewer, stormwater, and storm drainage facilities, which are to be paid by Developer directly to third-party governmental agencies, are not subject to or within the scope of this Agreement whether such third party charges exist or are subsequently imposed by such third parties, whether directly upon Developer or through City. This provision shall not be construed to benefit any Non-Assuming Transferees, as such term is defined in herein.

Section 3.05 **Applicable Fee Adjustments.** Developer shall pay fees and charges consistent with **Section 3.04** above, and the applicable adjustments currently provided in such fees, and as modified from time to time by the City, whether such adjustment or modification is an increase or decrease. Developer retains the right to challenge the imposition of any new fees not referenced in this Agreement or the modification, amendment or adjustment of all Applicable Fees pursuant to Government Code § 66000 *et seq.*, not already authorized by ordinances, resolutions or policies in place at the time of this Agreement's execution. Should the City Council approve a new AB 1600 fee study and/or authorize a decrease in any of the Applicable Fees during the term of this Agreement by ordinance or by resolution, Developer shall have the option, at its sole discretion, to pay the lower fee, as may be adjusted by the applicable CPI or ENR, unless

otherwise bound by separate contract or memorandum of understanding with City. In no event shall Developer receive retroactive adjustments for lower fees.

Section 3.06 **City Local Traffic Mitigation Fee**. Developer shall pay the City Local Traffic Mitigation Fee, which fee is necessary to finance unmet City traffic improvement needs in the amount in effect as of the Effective Date and subject to adjustment in accordance with Resolution No. 07-10917 with credit for certain improvements constructed by Developer per Section 4.04 below. If the City Council approves a new AB 1600 fee study and/or authorizes a decrease in any of the Applicable Fees during the term of this Agreement by ordinance or by resolution, Developer shall have the option, at its sole discretion, to pay the lower fee, as may be adjusted by the applicable CPI or ENR, unless otherwise bound by separate contract or memorandum of understanding with City. In no event shall Developer receive retroactive adjustments for lower fees.

Section 3.07 **Regional Traffic Fee**. Developer shall the ECCRFA Regional Transportation Development Impact Mitigation Fee (PMC Chapter 15.103) (the "RTDIM") amount in effect when the Developer obtains a Building Permit. The RTDIM will be automatically increased or decreased on January 1 of each year based on the percent change in the Engineering News Record Construction Costs Index-San Francisco Bay Area between September 1 and September 1 of the preceding two calendar years. Developer shall pay the fees prior to issuance of a Building Permit. If no Building Permit is required, then Developer shall pay the fees at a time consistent with PMC Section 15.103 in the amount in effect when the Project commences pursuant to PMC Section 15.103.

Section 3.08 **Fees, Assessments and/or Taxes to be Paid by Developer**. Developer agrees to pay its fair share of any levies imposed by any assessment district, landscaping and lighting district, community facilities district, tax-exempt financing mechanisms, or other funding mechanisms related to public safety; traffic; sewer; water; fire; the prevention, mitigation, abatement, or control of geologic hazards; or other infrastructure improvements (including, without limitation, design, acquisition, construction and maintenance costs) (collectively, "**Funding Mechanisms**") within the Project Site, provided that such Funding Mechanism is referenced herein and/or was legally created pursuant to applicable law.

Section 3.09 **Affordable Housing**. Developer shall comply with PMC 18.86.080 by constructing six (6) rental secondary dwelling units within the Project. A covenant shall be recorded limiting the amount of rent that may be charged for these secondary units, consistent with the terms and conditions set forth in the affordable housing agreement. Prior to the City's issuance of the first certificate of occupancy Developer agrees to enter into an affordable housing agreement with the City (the "**Affordable Housing Agreement**") attached as **Exhibit C** which further memorializes the provisions of this Section 3.09 and is consistent with applicable law, including Pittsburg Municipal Code Chapter 18.50. Developer agrees that the secondary dwelling units referenced in this Section shall not be built or otherwise allowed on adjoining lots without the prior written approval of the City Manager.

(a) **Timing**. The Affordable Housing Agreement shall establish provisions to implement the affordable housing requirements within this Agreement and shall include, but not be limited to, implementation and monitoring provisions to ensure compliance

with municipal law related to affordable housing. The agreement shall include provisions for the reasonable reimbursement of costs to the City for the administration and monitoring of the agreement.

(b) Inclusionary Housing Ordinance. Notwithstanding any provision of this Agreement, in the event that the City has rescinded its respective previously adopted affordable housing ordinance and not replaced it with another affordable housing or similar ordinance, or such ordinance has been declared illegal, Developer shall not be obligated to comply with the provisions for affordable housing set forth in this Agreement. In the event, prior to or during the development of the Project, the City amends or replaces or eliminates its affordable housing ordinance which would result in a reduction in the number of secondary units Developer is obligated to construct, then the Affordable Housing Agreement shall be modified to provide for an equivalent reduction in the number of secondary units required to be constructed in the Project or elimination of the requirement.

Section 3.10 **Security Improvements.**

(a) Developer shall pay to the City the actual cost incurred by the City (not to exceed _____ Thousand Dollars (\$_____)) towards funding the acquisition and installation a security camera at the entrance to the Property or other location as determined by the City. The security cameras will be installed under the supervision of the City's Police Chief. Developer shall pay such costs within thirty (30) days of receipt of invoice.

(b) Developer shall install the basic home security wiring implement wireless technology in the Project homes (defined herein as wiring for a basic home security system on the first floor windows and doors only). Developer shall offer one year of professional monitoring service to new homeowners. The monitoring service shall be at the election of the new homeowner.

Section 3.11 **Solar Roof System.** Developer shall install a solar roof system on one of its model homes for example purposes only (which may consist of a few panels with photovoltaic compatibility or other comparable technologies) and offer solar installation as an option at the homeowner's expense.

Section 3.12 **Tree Preservation.** Developer shall replace any and all trees that are removed as part of the construction of the Project with the appropriate number of new trees pursuant to the City's Tree Ordinance. Developer shall cause the Project to maintain said trees in an appropriate manner pursuant to the City's Tree Ordinance.

Section 3.13 **Off-Site Improvements.** Developer shall provide off-site improvements for a left turn lane from Central Avenue into the Project.

**ARTICLE IV
OBLIGATIONS OF CITY**

Section 4.01 **Obligations of City Generally.** The parties acknowledge and agree that Developer's agreement to perform and abide by its covenants and obligations set forth in this Agreement, including Developer's decision to process the siting of the Project in the City,

is a material consideration for City's agreement to perform and abide by the long term covenants and obligations of City, as set forth herein.

Section 4.02 **Availability of Public Services.**

(a) General. To the extent permitted by law and consistent with its authority, City shall reserve such capacity for water services as may be necessary to serve the Project. This reservation of water infrastructure capacity shall be assured for the Term to the extent consistent with applicable law.

(b) Construction Water. City shall make construction water available to the Project by allowing the Project access to the City's existing water supply infrastructure, at a location reasonably determined by the City, at Developer's cost and on those terms and conditions and charges customarily applied by City to similar projects consistent with City standards. Developer shall provide backflow prevention for all points of connection to the City's potable water supply system and the volume of water consumed shall be tracked with the use of a City-issued hydrant meter. City shall also allow Developer to install such temporary construction water pipelines and related infrastructure as reasonably necessary to provide construction water to the Project site for Developer's use in any and all Project grading and construction operations, as long as such water is unrelated to potable use.

Section 4.03 **Developer's Right to Rebuild.** City agrees that Developer, in Developer sole's discretion, may renovate or rebuild the Project within the Term of this Agreement should it become necessary due to natural disaster, changes in seismic requirements, acts of God, acts of terrorism, or damage to work in progress by reason of fire, floods or other casualties. Any such renovation or rebuilding shall be subject to the square footage and height limitations vested by this Agreement, and shall comply with the Project Approvals, the building codes existing at the time of such rebuilding or reconstruction, and the requirements of CEQA and this Agreement.

Section 4.04 **Reimbursement of Infrastructure Costs.**

(a) Reimbursement. Unless otherwise provided for herein, to the extent Developer incurs costs related to the planning and construction of traffic infrastructure, water delivery infrastructure, sewer infrastructure or other public infrastructure required by City or this Agreement for the Project that exceed the Project's fair share obligation for such infrastructure, City shall reimburse Developer for the City's portion of such costs (including any management fees provided for in this Agreement), subject to City's prior verification through inspection of the construction that is subject to such reimbursement and upon final acceptance of the infrastructure by the City. This reimbursement shall be paid within sixty (60) days after City's final acceptance or at such other time as mutually agreed upon in writing by the parties. Developer shall be entitled to a management fee of five percent (5%) for City's share of approved infrastructure costs, including but not limited to design and special inspection costs. The management obligations of Developer hereunder shall include contracting and managing the construction of the infrastructure, retaining copies of records, photographs and "as built" for the improvement(s) as well as attending meetings and providing necessary reports as reasonably requested by City.

(b) City's Authorization of Reimbursement. Notwithstanding any other provision of this Section, or of this Agreement, or of VTM provisions, City shall not be responsible to reimburse or credit Developer for any costs, including as referenced in Section 4.04(a) herein, unless prior to Developer incurring any costs for which Developer will request reimbursement from City, Developer shall first provide written documentation as to the work to be performed, the estimated costs thereof, including a not-to-exceed cap, and such other details as reasonably requested by the City Manager and the City Manager approves the proposed costs and related work. If the City Manager fails to respond within thirty (30) days of its receipt of such estimated costs, Developer shall provide a second written notice to the City Manager and to the City Engineer, if neither responds within thirty (30) days of the City's receipt of the second request, the request shall be deemed approved. The City Manager shall have the discretion to require Developer to obtain competitive bids on any work for which Developer may request reimbursement or credit from the City where the total cost (not just the City's share) of that work is One Hundred Thousand Dollars (\$100,000) or more. City shall also have the opportunity to inspect any and all infrastructure during its construction, as well as to review any work product for which Developer requests reimbursement or credits. If mutually agreed by the parties in writing, any reimbursement due Developer pursuant to this Agreement may be satisfied by City in the form of credits, which can actually be used by Developer to offset Developer's payment of any Applicable Fees. In the event there are not enough credits to fully satisfy the reimbursement due Developer and subject to the terms of the mutual agreement between the parties referenced in the prior sentence, City shall reimburse Developer within thirty (30) days of invoicing.

Section 4.05 Park In Lieu Fee. Developer and City agree that the park in-lieu fee valuation is currently Ten Dollars and Twenty Seven Cents per square foot (\$10.27/sf unless City adopts a lower fee in which case the lower fee shall apply), increased annually by the CPI for the San Francisco-Oakland area, with the first increase implemented in January 2019 reflecting 2018 increases.

ARTICLE V COOPERATION — IMPLEMENTATION

Section 5.01 Processing Application for Subsequent Approvals. The parties agree that all Subsequent Approvals shall be processed by City in a manner consistent with the following provisions:

(a) Standard of Review. By adopting the Project Approvals, City has made a final policy decision that the Project is in the best interests of the public health, safety and general welfare. Accordingly, City shall not use its discretionary authority in considering any application for a Subsequent Approval to change the policy decisions reflected by the Project Approvals or otherwise prevent or delay development of the Project as set forth in the Project Approvals. Instead, the Subsequent Approvals shall be deemed tools to implement those final policy decisions and shall be issued by City so long as they comply with this Agreement and Applicable Law, as defined below, and are not inconsistent with the Project Approvals as set forth above, and meet the intent and comply with any City adopted Designed Guidelines, as applicable. To the extent permitted by law, City shall not use its discretionary authority in considering these Subsequent Approval applications to revisit or frustrate the policy decisions or material terms reflected by the Project Approvals.

Developer agrees that development under this Agreement shall comply with provisions reflected in Uniform Codes (whether building, fire, plumbing, or other applicable uniform codes) which may be adopted subsequent to the Effective Date of this Agreement.

(b) Basis for Denial. City may deny an application for a Subsequent Approval only if such application does not comply with this Agreement or Applicable Law, defined below, or does not substantially comply with the Project Approvals (provided, however, that inconsistency with the Project Approvals shall not constitute grounds for denial of a Subsequent Approval which is requested by Developer as an amendment to that Project Approval). City may approve an application for such a Subsequent Approval subject to any conditions necessary to bring the Subsequent Approval into compliance with this Agreement or Applicable Law, or as is necessary to make this Subsequent Approval consistent with the Project Approvals. If City denies any application for a Subsequent Approval, City shall specify in writing the reasons for such denial and may suggest a modification which would be approved by City.

Section 5.02 Timely Submittals by Developer. Developer acknowledges that City cannot expedite processing of the Subsequent Approvals until Developer submits complete applications on a timely basis. Developer shall use its best efforts to (i) provide to City in a timely manner any and all documents, applications, plans, and other information necessary for City to carry out its obligations hereunder; and (ii) cause Developer's planners, engineers, and all other consultants to provide to City in a timely manner all such documents, applications, plans and other necessary materials as set forth in the Applicable Law. It is the express intent of Developer and City to cooperate and diligently work to obtain any and all Subsequent Approvals consistent with this Agreement.

Section 5.03 Timely Processing by City. Upon submission by Developer of all appropriate applications and processing fees for any Subsequent Approval, City shall promptly and diligently commence and complete all steps necessary to act on the Subsequent Approval applications including, without limitation, (i) providing at Developer's expense and subject to Developer's request and prior written approval, reasonable overtime staff assistance and/or staff consultants for planning and processing of each Subsequent Approval application; (ii) if legally required, providing notice and holding public hearings; and (iii) acting on any such Subsequent Approval application. If Developer elects to request and approve the use of overtime staff assistance or staff consultants for planning and processing of any Subsequent Approval pursuant to this Section 5.03, Developer's reimbursement to City for such services shall be made in amount equal to City's actual costs of providing such services, in accordance with standard City practice.

Section 5.04 Other Government Permits. At Developer's sole discretion and in accordance with Developer's construction schedule, Developer shall apply for such other permits and approvals as may be required by other governmental or quasi-governmental entities in connection with the development of, or the provision of services to, the Project. City shall cooperate with Developer in its efforts to timely obtain such permits and approvals and shall, from time to time, at the request of Developer, use its best efforts to ensure the timely availability of such permits and approvals.

Section 5.05 **Landscaping and Lighting District, Park Maintenance, C.3 Facilities.**

(a) Developer agrees that the Project Site will be annexed into the City's existing Community Facilities District 2007-1 (**Park Maintenance Services**), and the City's Community Facilities District 2016-1 (**Maintenance of Project Facilities**) for maintenance of off-site C.3 facilities. This process shall be completed to the satisfaction of the City Manager and City Attorney prior to the recordation of the first final map for the project. Each legal residential lot located within the Project Site will be required to pay the levy by the CFD no earlier than the issuance of a building permit for such lot. Developer understands that the project Site is included in the City's existing Citywide Landscaping and Lighting Assessment District, as established pursuant to City Resolution No. 88-7324 ("**LLD**")., To the extent permitted by law, that the Project shall be assessed in a manner consistent with the provisions herein.

(b) Developer agrees that the base assessment applies to the Project and is subject to increase, provided any such increase of the base assessment imposed uniformly or similarly situated properties by City in a manner consistent with State law. Developer further agrees that the base assessment shall be levied upon recordation of each of the Project's final maps. The parties agree that the base LLD assessment described herein shall finance, among other things, the maintenance of any and all landscape improvements and the maintenance of the parks.

Section 5.06 **Police Services CFD.** Developer agrees to take all steps necessary to include the Project Site into the City's existing police services Community Facilities District 2005-1, as adopted pursuant to Resolution No. 05-10342 (Public Safety Services) at no cost to the City, to provide for police services for the Project Site. This process shall be completed to the satisfaction of the City Manager and the City Attorney, before recordation of the first final map for the Project. Each legal residential lot located on the Project Site will be required to pay the levy by the Police Services District no earlier than the issuance of a building permit for such lot.

Section 5.07 **Fire Services CFD.** Developer agrees to annex the Project Site into the City's existing Community Facilities District 2017-1 (Fire Facilities and Fire Safety and Emergency Services), as adopted pursuant to Resolution No. 17-13311, at no cost to the City, to provide fire protection and emergency services for the Project Site. This process shall be completed to the satisfaction of the City Manager, prior to the recordation of the first final map for the Project. Each legal residential lot located on the Project Site will be required to pay the levy by the CFD no earlier than the issuance of a building permit for such lot.

Section 5.08 **Parkland Dedication In-Lieu Fee.** The Developer shall pay an In-Lieu Parkland Dedication Fee on a per permit basis to the Engineering Department prior to the issuance of a building permit for the project per PMC section 17.32.020.D.2. Developer shall receive a fee credit for fifty percent of the acreage of the private tot lot provided for the project. The park in-lieu fee valuation is currently ten dollars and twenty seven Cents per square foot (\$10.27/sf), increased annually by the CPI for the San Francisco-Oakland area,

with the first increase implemented in January 2019 reflecting 2018 increases. With the applied credit, Developer shall pay an in-lieu fee of \$7,917 per dwelling unit.

Section 5.10 **Assessment Districts or Other Funding Mechanisms.**

(a) City understands that City's long term assurances to Developer concerning fees, taxes and assessments related to the Project are a material consideration for Developer agreeing to process the siting of the Project in its present location and to pay the fees, taxes and assessments described in this Agreement. City shall retain the ability to initiate or process applications for the formation of new assessment districts or other Funding Mechanisms, as defined in Section 3.08 of this Agreement, covering all or any portion of the Project site. Notwithstanding the foregoing, Developer retains all its rights to oppose the formation or proposed assessment of any new assessment district, Funding Mechanism, or any and all increases thereto, or to request or pursue assessment credits or reductions, unless otherwise provided for herein or unless such assessment, Funding Mechanism or related increases are in place and legally effective as of the date of this Agreement's Effective Date.

(b) At the request of Developer, City shall cooperate in the formation of, or annexation to, those assessment districts, landscaping and lighting districts, community facilities districts, tax-exempt financing mechanisms, or other Funding Mechanisms that Developer and City determine are needed to fund infrastructure improvements and to ensure the orderly development of the Project, at no cost to the City. City shall diligently and expeditiously process applications by Developer necessary to establish such Funding Mechanisms as long as (i) the application complies with law, (ii) is consistent with City's standards, and (iii) provides for a lien to value ratio and other financial terms that are reasonably acceptable to City, and which will result in no commitment of City. City shall diligently seek to sell any bonds to be issued and secured by such assessments upon the best terms reasonably available in the marketplace. Any and all costs associated with this Section shall be borne and/or advanced by Developer.

Section 5.11 **Warranty Bonds.** Developer agrees that every infrastructure improvement dedicated to City (except landscaping, unimproved real property or open space dedications) pursuant to this Agreement shall be accompanied by a one (1) year warranty bond in a form and in an amount, and with a surety acceptable to City, or otherwise as determined in the applicable Subdivision Improvement Agreement.

Section 5.12 **General Plan Maintenance Fee.** Developer agrees to pay a development related fee to help fund the maintenance of the Pittsburgh General Plan. The General Plan Maintenance Fee will be \$125.00 per building permit.

Section 5.13 **Refuse Management Plan.** Prior to issuance of the first building permit, Developer shall submit to, and receive written approval from, the City Planning Manager of a proposed refuse management plan addressing, among other matters, the routes for the solid waste company servicing the Project to access and otherwise provide service to the Project.

ARTICLE VI STANDARDS, LAWS AND PROCEDURES GOVERNING THE PROJECT

Section 6.01 **Vested Right to Develop.** Developer shall have a vested right to develop the Project on the Project Site in substantial conformance with the terms and conditions of this Agreement, the Project Approvals (as and when issued), the Subsequent Approvals (as and when issued), and amendments thereto as shall, from time to time, be approved pursuant to this Agreement. Nothing in this Section 6.01 shall be deemed to eliminate or diminish the requirement of Developer to obtain any required Subsequent Approvals.

Section 6.02 **Permitted Uses Vested by This Agreement.** The permitted uses of the Project Site; the density and intensity of use of the Project Site; the maximum height, bulk and size of proposed buildings; provisions for reservation or dedication of land for public purposes and the location of public improvements; the general location of public utilities; and other terms and conditions of development applicable to the Project, shall be as set forth in the Project Approvals and, as and when they are issued (but not in limitation of any right to develop as set forth in the Project Approvals), the Subsequent Approvals.

Section 6.03 **Applicable Law.** “**Applicable Law**” shall mean the existing rules, regulations, official policies, standards and specifications governing permitted uses of the project site; governing density; and governing design, improvements, and construction standards and specifications applicable to the Project and Project site as set forth in this Agreement and the Project Approvals, and in force and effect on the Effective Date of this Agreement. However, this Agreement and this Section shall not be construed to prevent the City, in any subsequent actions applicable to the Project Site, from applying any new rules, regulations, official policies, standards, and specifications that do not conflict with those rules, regulations, official policies, standards, and specifications existing as of the Effective Date of the Agreement.

Section 6.04 **Uniform Codes.** Notwithstanding any other provision of this Agreement, City may apply to the Project Site, at any time during the Term, the then current Uniform Building Code and other uniform construction codes as properly modified by City and uniformly applied on a citywide basis, and City’s then current design and construction standards for road and storm drain facilities. In no event shall any such uniform code or standard be adopted for the purpose of preventing or otherwise limiting construction of all or any part of the Project.

Section 6.05 **Moratorium and Conflicting Enactments.** To the extent consistent with State Law, if any ordinance, resolution or other measure is enacted, whether by action of City, by initiative, referendum, or otherwise, that imposes a building moratorium, a limit on the rate of development, or a voter-approval requirement which would otherwise affect the timely development of the Project on all or any part of the Project Site, City agrees that such ordinance, resolution or other measure shall not apply to the Project, the Project Site, this Agreement, the Project Approvals, or the Subsequent Approvals, if any, during the term of this Agreement, unless the building moratorium is imposed as part of a declaration of a local emergency or state of emergency as defined in Government Code Section 8558. Developer

reserves the right to challenge in court any City action or inaction which Developer believes is in conflict with Applicable Law or this Agreement.

Section 6.06 **Life of Subdivision Maps, Development Approvals, and Permits.** To the extent consistent with Applicable Law, the term of any subdivision map or any other map, permit, rezoning or other land use entitlement approved as a Project Approval or Subsequent Approval shall automatically be extended for the duration of this Agreement, including any extensions. The term of this Agreement and any subdivision map or other Project Approval or Subsequent Approval shall not include any period of time during which any applicable development moratorium (including, but not limited to, a water or sewer moratorium) or the actions of other public agencies that regulate land use, development or the provision of services to the land, prevents, prohibits or delays the construction of the Project. The term of this Agreement and any subdivision map or other Project Approval or Subsequent Approval shall not include any period of time during which any applicable court order or other legal requirement prevents the processing of any Subsequent Approval or prevents any Project development activities

Section 6.07 **State and Federal Law.** As provided in California Government Code § 65869.5, if any state or federal laws or regulations, enacted after this Agreement's Effective Date prevent or preclude compliance with one or more provisions of this Agreement ("**Changes in the Law**"), such provision of the Agreement shall be modified or suspended as may be necessary to comply with such state or federal laws or regulations as may be necessary to comply with Changes in the Law, and City and Developer shall take such action as may be required pursuant to this Agreement including, without limitation, Article V and Section 10.05. Not in limitation of the foregoing, nothing in this Agreement shall preclude City from imposing on Developer any fee specifically required by State or Federal laws and regulations.

Section 6.08 **Timing of Project Construction and Completion.**

(a) **Project Phasing.** The Project may be built in phases in response to then-existing market conditions over the Term of the Agreement. Except as otherwise specifically provided by this Agreement with respect to Project infrastructure timing, City and Developer expressly agree that there is no requirement that Developer initiate or complete development of the Project or any particular phase of the Project within any particular period of time, and City shall not impose such a requirement on any Project Approval. The parties acknowledge that Developer cannot at this time predict when or the rate at which or the order in which phases will be developed. Such decisions depend upon numerous factors which are not within the control of Developer, such as market demand, interest rates, competition and other similar factors.

(b) The parties agree that Developer shall be able to develop in accordance with Developer's own time schedule as such schedule may exist from time to time, and Developer shall determine which part of the Project Site to develop first, and at Developer's chosen schedule. In particular, and not in limitation of any of the foregoing, since the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo*, 37 Cal.3d 465 (1984), that the failure of the parties therein to consider and expressly provide for the timing of development resulted in a later-adopted initiative restricting the timing of

development to prevail over such parties' agreement, it is the parties' desire to avoid that result by acknowledging that Developer shall have the right to develop the Project in such order and at such rate and at such times as Developer deems appropriate within the exercise of its subjective business judgment. Developer's rights under this Section 6.08(b) shall be subject to the requirement that adequate infrastructure to serve each phase of the Project is constructed concurrently with such phase. The City Manager shall reasonably determine what infrastructure will be required to serve each phase of the Project, which determination shall be consistent with Applicable Law.

(c) Nothing in this Agreement shall exempt Developer from completing work required by a subdivision agreement, road improvement agreement or similar agreement in accordance with the terms thereof.

Section 6.09 **Exempting Fees, Mitigation Measures and Similar Requirements Imposed by Outside Agencies.** Notwithstanding any other provision of this Agreement, the City agrees to exclude Developer from any and all discretionary collection agreements regarding fees, mitigation measures and similar requirements including, but not limited to, development impact fees, which other public agencies request the City to impose at City's discretion on the Project or on the Project Site after the Effective Date through the Term of this Agreement. This Section 6.09 shall not prohibit the City from imposing on Developer any fee, mitigation measure or similar requirement or obligation that is required by a local or regional agency in accordance with local, regional, State or Federal obligations and implemented by the City in cooperation with such local, regional, state or federal agency, provided such fee, mitigation measure or similar requirement or obligation is imposed in a similar manner on similarly situated properties within the City as, for example, stormwater-related C.3 requirements and increases thereto.

Section 6.10 **City's Joint-Inspection Jurisdiction.** Developer acknowledges that City has joint inspection jurisdiction within other third-party governmental entities within any and all City rights-of-way and easements.

ARTICLE VII AMENDMENT

Section 7.01 **Amendment to Project Approvals, Subsequent Approvals.** To the extent permitted by State and Federal law, any Project Approval or Subsequent Approval may, from time to time, be amended or modified in the following manner:

(a) **Administrative Project Amendments.** Upon the written request of Developer for an amendment or modification to a Project Approval or Subsequent Approval, the City Manager or his/her designee shall determine: (i) whether the requested amendment or modification is minor when considered in light of the Project as a whole; and (ii) whether the requested amendment or modification is consistent with this Agreement, Applicable Law, applicable uniform codes and State or Federal law. If the City Manager or his/her designee finds that the proposed amendment or modification is minor in the context of the entire Project, consistent with this Agreement and Applicable Law, and will result in no new significant environmental impacts not addressed and mitigated in the EIR, the amendment shall be determined to be an "**Administrative Project Amendment**" and the

City Manager or his/her designee may, except to the extent otherwise required by law, approve the Administrative Project Amendment without notice and public hearing. Without limiting the generality of the foregoing, lot line adjustments, reductions in the density, intensity, scale or scope of the Project, minor alterations in vehicle circulation patterns or vehicle access points, changes in trail alignments, minor variations in lot layouts, substitutions of comparable landscaping for any landscaping shown on any final development plan or landscape plan, variations in the location of structures that do not substantially alter the design concepts of the Project, variations in the location or installation of utilities and other infrastructure connections or facilities that do not substantially alter the design concepts of the Project, and minor adjustments to the Project Site diagram or Project Site legal description shall be treated as Administrative Project Amendments.

(b) Non-Administrative Project Amendments. Any request of Developer for an amendment or modification to a Project Approval or Subsequent Approval which is determined not to be an Administrative Project Amendment as set forth above shall be subject to review, consideration and action pursuant to the Applicable Law and this Agreement.

Section 7.02 **Amendment of this Agreement.** This Agreement may be amended from time to time, in whole or in part, by mutual written consent of the parties hereto or their successors in interest, as follows:

(a) Administrative Agreement Amendments. The City Manager, or his/her designee, may, except to the extent otherwise required by law, enter into certain amendments of this Agreement on behalf of the City as long as any such amendment does not substantially affect (i) the Term of this Agreement, (ii) permitted uses of the Project Site, (iii) provisions for the reservation or dedication of land, (iv) conditions, terms, restrictions or requirements for subsequent discretionary actions, (v) the density or intensity of use of the Project Site or the maximum height or size of proposed buildings or (vi) monetary contributions by Developer ("**Administrative Agreement Amendment**"), and shall not, except to the extent otherwise required by law, require notice or public hearing before the parties may execute an amendment hereto. For purposes of this Section 7.02(a), the term "substantially affect" shall be evaluated in the context of the entire Project.

(b) Amendment Exemptions. No amendment of a Project Approval or Subsequent Approval, whether done administratively or not, shall require an amendment to this Agreement. Instead, any such matter automatically shall be deemed to be incorporated into the Project and vested under this Agreement when written and executed by both parties.

(c) Amendment Limitations. In consideration of the scope of the benefits to City set forth in this Agreement, any amendment to this Agreement shall only be subject to such new terms and conditions, including new exactions or other obligations, as are reasonably related to the impacts on City directly attributable to such amendment.

ARTICLE VIII ASSIGNMENT, TRANSFER AND NOTICE

Section 8.01 **Assignment of Interests, Rights and Obligations.** Developer may transfer or assign all or any portion of its interests, rights or obligations under this Agreement, the Project Approvals or Subsequent Approvals to third parties acquiring an interest or estate in the Project or any portion thereof including, without limitation, purchasers or ground lessees of lots, parcels or facilities.

Section 8.02 **Transfer Agreements.**

(a) In connection with the transfer or assignment by Developer of all or any portion of the Project (other than a transfer or assignment by Developer to an affiliated party, any deed of trust beneficiary or mortgagee, or a “Non-Assuming Transferee” (as defined in Section 8.03), Developer and the transferee shall enter into a written agreement (a “**Transfer Agreement**”) regarding the respective interests, rights and obligations of Developer and the transferee in and under the Agreement, the Project Approvals, and the Subsequent Approvals. Such Transfer Agreement may (i) release Developer from obligations under the Agreement, the Project Approvals, or the Subsequent Approvals that pertain to that portion of the Project being transferred or assigned, as described in the Transfer Agreement, provided that the transferee expressly assumes such obligations, (ii) transfer to the transferee vested rights to improve that portion of the Project being transferred and (iii) address any other matter deemed by Developer to be necessary or appropriate in connection with the transfer or assignment.

(b) Any Transfer Agreement shall be binding on Developer, City and the transferee and, unless otherwise provided for in Section 8.03 of this Agreement, shall require the City’s prior written consent, which consent shall not be unreasonably withheld. Failure by City to respond within thirty (30) days of a written request by Developer for City’s consent shall be deemed City’s approval of the Transfer Agreement in question. City may refuse to give its consent only if, in light of the proposed transferee’s reputation and financial resources, such transferee would not in City’s reasonable determination be able to perform the obligations proposed to be assumed by such transferee. Such determination shall be made by the City Manager and is appealable to the City Council. In no event, however, shall City refuse to give its consent to a proposed transferee pursuant to this Section 8.02(b) if such transferee has a net worth of at least Ten Million Dollars (\$10,000,000) documented in a manner reasonably acceptable to City. Upon recordation of any Transfer Agreement in the Official Records of Contra Costa County, Developer shall automatically be released from those obligations assumed by the transferee therein.

(c) Developer shall be free from any and all liabilities accruing on or after the date of any assignment or transfer with respect to those obligations assumed by a transferee pursuant to a Transfer Agreement. No breach or default hereunder by any person succeeding to any portion of Developer’s obligations under this Agreement shall be attributed to Developer, nor may Developer’s rights hereunder be canceled or diminished in any way by any breach or default by any such person.

Section 8.03 **Non-Assuming Transferees.** Except as otherwise required by Developer in Developer's sole discretion, the burdens, obligations and duties of Developer under this Agreement shall terminate with respect to, and neither a Transfer Agreement nor City's consent shall be required in connection with (i) any single residential parcel conveyed to a purchaser, (ii) any property transferred as fewer than ten (10) lots to a single retail builder or (iii) any property that has been established as one or more separate legal parcels for office, commercial, open space, park, school or other nonresidential uses. The transferee in such a transaction and its successors ("**Non-Assuming Transferees**") shall be deemed to have no obligations under this Agreement, but shall continue to benefit from the vested rights provided by this Agreement for the duration of the Term. Nothing in this Section 8.03 shall exempt any property transferred to a Non-Assuming Transferee from payment of applicable fees and assessments or compliance with applicable conditions of approval.

Section 8.04 **Notice of Compliance Generally.** Subject to City's finding that the facts contemplated by clauses (i) through (iii) herein are true and accurate, within thirty (30) days following any written request which Developer may make from time to time, City shall execute and deliver to Developer (or to any party requested by Developer) a written "**Notice of Compliance**," in recordable form, duly executed and acknowledged by City, that certifies that (i) this Agreement is unmodified and in full force and effect, or if there have been modifications hereto, that this Agreement is in full force and effect as modified and stating the date and nature of such modifications, (ii) there are no current uncured defaults under this Agreement or specifying the dates and nature of any such default, and (iii) any other information reasonably requested by Developer. City's failure to deliver such notice within such time period shall constitute a conclusive presumption against City that this Agreement is in full force and effect without modification except as may be represented by the Developer and that there are no uncured defaults in the performance of the Developer, except as may be represented by the Developer. Developer shall have the right at Developer's sole discretion, to record the Notice of Compliance.

ARTICLE IX COOPERATION IN THE EVENT OF LEGAL CHALLENGE

Section 9.01 **Cooperation.**

(a) 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 not a party to this Agreement challenging the validity of the Agreement or any Project Approval or any Subsequent Project Approval, or otherwise arising out of or stemming from this Agreement. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense. The parties shall cooperate in defending such action or proceeding. Developer shall pay for City's costs of defense, whether directly or by timely reimbursement 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 in regard to defense of the action or proceeding. The parties shall use best efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel and Developer agrees to pay directly

or timely reimburse on a monthly basis City for all such court costs, attorney fees, and time referenced herein.

(b) Developer also agrees to indemnify, defend and hold harmless the City, its officials, officers, employees, agents and consultants from any claims, costs, damages or other liabilities for any personal injury or death, or property damage, resulting from the construction of the Project or of operations by the Developer, its officers, employees, agents or consultants, under this Agreement, except for such claims, costs, damages, or other liabilities which are caused by the sole or gross negligence of the City, its officials, officers, employees, agents, or consultants. Developer may select its own legal counsel to represent Developer's interests at Developer's sole cost and expense.

(c) The parties agree that this Section 9.01 shall constitute a separate agreement entered into concurrently, and that if any other provision of this Agreement, or the Agreement as a whole, is invalidated, rendered null, or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Section 9.01, which shall survive such invalidation, nullification or setting aside.

Section 9.02 **Cure; Reapproval.**

(a) If, as a result of any administrative, legal or equitable action or other proceeding as described in Section 9.01, all or any portion of this Agreement, Project Approvals, or Subsequent Approvals are set aside or otherwise made ineffective by any judgment (a "**Judgment**") in such action or proceeding (based on procedural, substantive or other deficiencies, hereinafter "**Deficiencies**"), the parties agree to use their respective best efforts to sustain and reenact or readopt this Agreement, Project Approvals, and/or Subsequent Approvals that the Deficiencies relate to, as follows, unless the parties mutually agree in writing to act otherwise:

(i) If any Judgment requires reconsideration or consideration by City of this Agreement, Project Approval, or Subsequent Approval, then the City shall consider or reconsider that matter in a manner consistent with the intent of this Agreement. If any such Judgment invalidates or otherwise makes ineffective all or any portion of this Agreement or any Project Approval, or Subsequent Approval, then the parties shall cooperate and shall cure any Deficiencies identified in the Judgment or upon which the Judgment is based in a manner consistent with the intent of this Agreement and the Judgment. Upon the parties cure of such Deficiencies, City shall then take steps consistent with the Judgment necessary readopt or reenact this Agreement and any applicable Project Approval, Subsequent Approval, or any portion thereof.

(ii) Acting in a manner consistent with the intent of this Agreement or a Judgment includes, but is not limited to, recognizing that the parties intend that Developer may develop a fifty seven (57) single-family residential unit project, and adopting such ordinances, resolutions, and other enactments, including but not limited to a general plan amendment, rezoning, vesting subdivision map approvals, development plan approvals, PD Plan approvals, design review, improvement agreements, use permits, grading permits, building permits, lot line adjustments, sewer and water connection permits, certificates of occupancy, final development plans, development agreements, permits,

resubdivisions, and any amendments to, or repealing of, any of the foregoing as are necessary to readopt or reenact all or any portion of this Agreement, Project Approvals, and/or Subsequent Approvals without contravening the Judgment.

(b) The parties agree that this Section 9.02 shall constitute a separate agreement entered into concurrently, and that if any other provision of this Agreement, or the Agreement as a whole, is invalidated, rendered null, or set aside by a court of competent jurisdiction, the parties agree to be bound by the terms of this Section 9.02, which shall survive such invalidation, nullification or setting aside.

ARTICLE X DEFAULT; REMEDIES; TERMINATION

Section 10.01 **Defaults**. Any failure by either party to perform any term or provision of this Agreement, which failure continues uncured for a period of thirty (30) days following written notice of such failure from the other party (the “**Complaining Party**”) (unless such period is extended by mutual written consent), shall constitute a default under this Agreement. The Complaining Party’s notice (“**Default Notice**”) shall specify the nature of the alleged failure and, may specify the manner in which the failure satisfactorily may be cured By the other party (the “**Defaulting Party**”). Any failures or delays by a Complaining Party in asserting any of its rights and remedies as to any default shall not operate as a waiver of a default or of any such rights or remedies. Delays by a Complaining Party in asserting any of its rights and remedies shall not deprive the Complaining Party of its right to institute and maintain any actions or proceedings, which it may deem necessary to protect, assert, or enforce any such rights or remedies. If the nature of the alleged failure is such that it cannot reasonably be cured within such 30-day period, then no fault shall be deemed to have occurred if: (a) the cure shall be commenced at the earliest practicable date following receipt of the Default Notice; (b) the cure is diligently prosecuted to completion at all times thereafter; (c) at the earliest practicable date (if no event later than thirty (30) days after the Defaulting Party’s receipt of the Default Notice), the Defaulting Party provides written notice to the Complaining Party that the cure cannot practicably be completed within such 30-day period; and (d) the cure is completed at the earliest practicable date. In no event shall Complaining Party be precluded from exercising remedies if a default is not cured within one hundred twenty (120) days after the Notice of Default is given. Complaining Party shall not send notice to any third party, including, but not limited to, bonding and surety companies, until such time as the cure opportunities set forth above have expired unless otherwise required by applicable law. Upon the occurrence of a default under this Agreement, the Complaining Party may institute legal proceedings to enforce the terms of this Agreement or, in the event of a material default, terminate this Agreement. If the default is cured consistent with this Section, then no default shall exist and the Complaining Party shall take no further action.

Section 10.02 **Termination**. If City elects to consider terminating this Agreement due to a material default of Developer, then City shall give a notice of intent to terminate this Agreement and the matter shall be scheduled for consideration and review by the City Council at a duly noticed and conducted public hearing. As used herein, a finding of materiality shall be based on the effect of the default in relation to the size and scope of the Project. Developer shall have the right to offer written and oral evidence prior to or at the time of said public hearings. If the City Council determines that a material default has

occurred and is continuing, and elects to terminate this Agreement, City shall give written notice of termination of this Agreement to Developer by certified mail and this Agreement shall thereby be terminated sixty (60) days thereafter; provided, however, that if Developer files an action to challenge City's termination of this Agreement within such 60-day period, then this Agreement shall remain in full force and effect until a trial court has affirmed City's termination of this Agreement and all appeals have been exhausted (or the time for requesting any and all appellate review has expired).

Section 10.03 **Periodic Review.**

(a) **Conducting the Periodic Review.** Throughout the Term of this Agreement, at least once every twelve (12) months following the execution of this Agreement, City shall review the extent of good-faith compliance by Developer with the terms of this Agreement. This review (the "**Periodic Review**") shall be conducted by the City Manager or his/her designee and shall be limited in scope to compliance with the terms of this Agreement pursuant to California Government Code § 65865.1. Developer also agrees to pay City annually the greater of Five Thousand Dollars (\$5,000) or the actual cost of Periodic Review Fee (not to exceed Ten Thousand Dollars (\$10,000)). The Five Thousand Dollars (\$5,000) shall be increased annually thereafter by the CPI for the San Francisco Oakland Area, with the first increase implemented in January 2019 reflecting 2018 increases. Such Periodic Review Fee shall only be paid in the years in which a Periodic Review is actually conducted.

(b) **Notice.** At least ten (10) days prior to the Periodic Review, and in the manner prescribed in Article XII of this Agreement, City shall deposit in the mail to Developer a copy of any staff reports and documents to be used or relied upon in conducting the review and, to the extent practical, related exhibits concerning Developer's performance hereunder. Developer shall be permitted an opportunity to respond to City's evaluation of Developer's performance, either orally at a public hearing or in a written statement, at Developer's election. Such response shall be made to the City Manager.

(c) **Good Faith Compliance.** During the Periodic Review, the City Manager shall review Developer's good-faith compliance with the terms of this Agreement. At the conclusion of the Periodic Review, the City Manager shall make written findings and determinations, on the basis of substantial evidence, as to whether or not Developer has complied in good faith with the terms and conditions of this Agreement. The decision of the City Manager shall be appealable to the City Council. If the City Manager finds and determines that Developer has not complied with such terms and conditions, the City Manager may recommend to the City Council that it terminate or modify this Agreement by giving notice of its intention to do so, in the manner set forth in California Government Code §§ 65867 and 65868. The costs incurred by City in connection with the Periodic Review process described herein shall be shared equally by Developer and City.

(d) **Failure to Properly Conduct Periodic Review.** If, after thirty (30) days following Developer's notice requesting a Periodic Review, City fails to initiate the Periodic Review, such failure shall be conclusively deemed an approval by City of Developer's compliance with the terms of this Agreement.

(e) **Written Notice of Compliance.** With respect to any year for which Developer has been determined or deemed to have complied with this Agreement, City shall, within thirty (30) days following a written request by Developer, provide Developer with a written notice of compliance, in recordable form, duly executed and acknowledged by City. Developer shall have the right, in Developer's sole discretion, to record such notice of compliance.

Section 10.04 **Excusable Delay; Extension of Time of Performance.** In addition to specific provisions of this Agreement, neither party shall be deemed to be in default where delays in performance or failures to perform are due to, and a necessary outcome of, war, insurrection, terrorism, strikes or other labor disturbances, walk-outs, riots, floods, earthquakes, fires, casualties, acts of God, restrictions imposed or mandated by other governmental entities (including new or supplemental environmental regulations), enactment of conflicting State or Federal laws or regulations, or judicial decisions. Neither party shall be deemed to be in default where delays in performance or failure to perform are due to a court order arising out of or related to litigation attacking the validity of this Agreement, the Project Approvals, the Subsequent Approvals, or any permit, ordinance, entitlement or other action of a governmental agency other than City necessary for the development of the Project. Developer shall not be deemed to be in default where delays in performance or failure to perform are due to Developer's inability to obtain materials, power or public facilities (such as water or sewer service) to the Project and unrelated to Developer's actions or inactions and beyond Developer's control. Upon the properly noticed request of either party hereto, as required by Section 12.09, an extension of time for the performance of any obligation whose performance has been so prevented or delayed will be set forth in writing. The term of any such extension shall be equal to the period of the excusable delay, or longer, as may be mutually agreed upon in writing.

Section 10.05 **Legal Action.** Either party may, in addition to any other rights or remedies, institute legal action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, recover damages for any default, enforce by specific performance the obligations and rights of the parties hereto, or to obtain any remedies consistent with the purpose of this Agreement.

Section 10.06 **California Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of California.

Section 10.07 **Resolution of Disputes.** With regard to any dispute involving development of the Project, the resolution of which is not provided for by this Agreement or Applicable Law, Developer shall, at City's request, meet with City. The parties to any such meetings shall attempt in good faith to resolve any such disputes. If the parties are then unable to resolve their dispute, either party may commence mediation by providing to JAMS, or its successor, and the other party a written request for mediation, setting forth the subject of the dispute and the relief requested. The parties will cooperate with JAMS and with one another in selecting a mediator from JAMS' panel of neutrals, and in scheduling the mediation proceedings. The parties covenant that they will participate in the mediation in good faith, and that they will share equally in its costs. All offers, promises, conduct and statements, whether oral or written, made in the course of the mediation by any of the parties, their agents, employees, experts and attorneys, and by the mediator and any JAMS

employees, are confidential, privileged and inadmissible for any purpose, including impeachment, in any litigation or other proceeding involving the parties, provided that evidence that is otherwise admissible or discoverable shall not be rendered inadmissible or non-discoverable as a result of its use in the mediation. Either party may seek equitable relief prior to the mediation to preserve the status quo pending the completion of that process. Except for such an action to obtain equitable relief, neither party may commence a civil action with respect to the matters submitted to mediation until after the completion of the initial mediation session, or ninety (90) days after the date of filing the written request for mediation, whichever occurs first. Mediation may continue after the commencement of a civil action, if the parties both agree in writing. The provisions of this Section 10.07 may be enforced by any Court of competent jurisdiction, and the party seeking enforcement shall be entitled to an award of all costs, fees and expenses, including attorney's fees, to be paid by the party against whom enforcement is ordered. Nothing in this Section 10.07 shall in any way be interpreted as requiring that Developer and City and/or City's designee reach agreement with regard to those matters being addressed, nor shall the outcome of these meetings be binding in any way on City or Developer unless expressly agreed to in writing by the parties to such meetings.

Section 10.08 **Attorneys' Fees**. In any legal action or other proceeding brought by either party to enforce or interpret a provision of this Agreement, the prevailing party is entitled to reasonable attorneys' fees and any related other costs incurred in that proceeding in addition to any other relief to which it is entitled.

Section 10.09 **Default by City or Developer**. In the event City or Developer defaults under the terms of this Agreement, City or Developer shall have all rights and remedies provided herein and under law.

ARTICLE XI NO AGENCY, JOINT VENTURE OR PARTNERSHIP

It is specifically understood and agreed to by and between the parties hereto that unless otherwise expressly provided herein (i) the subject development is a private development; (ii) City have no interest or responsibilities for, or duty to, third parties concerning any improvements until such time, and only until such time, that City accepts the same pursuant to the provisions of this Agreement or in connection with the various Project Approvals or Subsequent Approvals; (iii) Developer shall have full power over and exclusive control of the Project herein described, subject only to the limitations and obligations of Developer under this Agreement, the Project Approvals, Subsequent Approvals, and Applicable Law; and (iv) City and Developer hereby renounce the existence of any form of agency relationship, joint venture or partnership between City and Developer and agree that nothing contained herein or in any document executed in connection herewith shall be construed as creating any such relationship between City and Developer. The City agrees that Developer's obligations under this Agreement related to the construction of Project water, sewer and drainage infrastructure improvements, the grading and construction of traffic improvements, and the grading and construction of any other public improvements (collectively, the "**Public Improvements**") are all public works of improvement the City is requiring as a condition of regulatory approval of the Project and that the Project is an otherwise private development. The City further agrees that it will contribute no more money,

or the equivalent of money, to the overall Project than is required to construct the Public Improvements and that City maintain no proprietary interest in the overall Project.

ARTICLE XII MISCELLANEOUS

Section 12.01 **Incorporation of Recitals and Introductory Paragraph.** The Recitals contained in this Agreement, and the introductory paragraph preceding the Recitals, are hereby incorporated into this Agreement as if fully set forth herein.

Section 12.02 **Enforceability.** City and Developer agree that unless this Agreement is amended or terminated pursuant to the provisions of this Agreement, this Agreement shall be enforceable by any party hereto notwithstanding any change hereafter enacted or adopted (whether by ordinance, resolution, initiative, or any other means) in any applicable general plan, specific plan, zoning ordinance, subdivision ordinance, or any other land use ordinance or building ordinance, resolution or other rule, regulation or policy adopted by City that changes, alters or amends the rules, regulations and policies applicable to the development of the Project Site at the time of the approval of this Agreement as provided by California Government Code § 65866. In the event of any conflict between the provisions of this Agreement and Applicable Law, the Project Approvals or any Subsequent Approval, this Agreement shall prevail.

Section 12.03 **Findings.** City hereby finds and determines that execution of this Agreement furthers public health, safety and general welfare and that the provisions of this Agreement are consistent with the General Plan.

Section 12.04 **Severability.** If any term or provision of this Agreement, or the application of any term or provision of this Agreement to a particular situation, is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining terms and provisions of this Agreement, or the application of this Agreement to other situations, shall continue in full force and effect unless amended or modified by mutual consent of the parties. Notwithstanding the foregoing, if any material provision of this Agreement, or the application of such provision to a particular situation, is held to be invalid, void or unenforceable, either City or Developer may (in their sole and absolute discretion) terminate this Agreement by providing written notice of such termination to the other party.

Section 12.05 **Other Necessary Acts.** Each party shall execute and deliver to the other all such other further instruments and documents as may be reasonably necessary to carry out the Project Approvals, Subsequent Approvals and this Agreement and to provide and secure to the other party the full and complete enjoyment of its rights and privileges hereunder.

Section 12.06 **Construction.** Each reference in this Agreement to this Agreement or any of the Project Approvals or Subsequent Approvals shall be deemed to refer to the Agreement, Project Approval or Subsequent Approval as it may be amended from time to time, whether or not the particular reference refers to such possible amendment. This Agreement has been reviewed and revised by legal counsel for both City and Developer, and

no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.

Section 12.07 **Other Miscellaneous Terms**. The singular shall include the plural; the masculine gender shall include the feminine; "shall" is mandatory; "may" is permissive. If there is more than one signer of this Agreement, the signer obligations are joint and several.

Section 12.08 **Covenants Running with the Land**. All of the provisions contained in this Agreement shall be binding upon the parties and their respective heirs, successors and assigns, representatives, lessees, and all other persons acquiring all or a portion of the Project, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions contained in this Agreement shall be enforceable as equitable servitudes and shall constitute covenants running with the land pursuant to California law including, without limitation, California Civil Code § 1468. Each covenant herein to act or refrain from acting is for the benefit of or a burden upon the Project, as appropriate, runs with the Project Site and is binding upon the owner of all or a portion of the Project Site and each successive owner during its ownership of such property.

Section 12.09 **Notices**. Any notice or communication required hereunder between City or Developer must be in writing, and may be given either personally, by fax (with original forwarded by regular U.S. Mail) by registered or certified mail (return receipt requested), or by Federal Express or other similar courier promising overnight delivery. If personally delivered, a notice shall be deemed to have been given when delivered to the party to whom it is addressed. If given by facsimile transmission, a notice or communication shall be deemed to have been given and received upon actual physical receipt of the entire document by the receiving party's facsimile machine. Notices transmitted by facsimile after 5:00 p.m. on a normal business day or on a Saturday, Sunday or holiday shall be deemed to have been given and received on the next normal business day. If given by registered or certified mail, such notice or communication shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If given by Federal Express or similar courier, a notice or communication shall be deemed to have been given and received on the date delivered as shown on a receipt issued by the courier. Any party hereto may at any time, by giving ten (10) days written notice to the other party hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the parties at their addresses set forth below:

If to City, to: City Manager
City of Pittsburg
Civic Center
65 Civic Avenue
Pittsburg, CA 94565-2830

With Copies to: Ruthann G. Ziegler
City Attorney
Meyers Nave
555 Capitol Mall, Suite 1200
Sacramento, CA 95814

If to Developer, to: Albert D. Seen0, Jr.
Forecast Land Investment, LLC
4021 Port Chicago Hwy.
Concord, CA 94520

With Copies to: Forecast Land Investment, LLC
Attn: Legal Department
4061 Port Chicago Hwy., Suite H
Concord, CA 94520

Section 12.10 **Entire Agreement, Counterparts and Exhibits.** This Agreement is executed in two (2) duplicate counterparts, each of which is deemed to be an original. This Agreement consists of 27 pages and four exhibits which constitute in full, the final and exclusive understanding and agreement of the parties and supersedes all negotiations or previous agreements of the parties with respect to all or any part of the subject matter hereof. All waivers of any provisions of this Agreement shall be in writing and signed by the appropriate authorities of City and Developer. The following exhibits are attached to this Agreement and incorporated herein for all purposes:

EXHIBIT A - Legal Description
EXHIBIT A-1 - Project Site Diagram
EXHIBIT B - Applicable Fees
EXHIBIT C - Affordable Housing Agreement

Section 12.11 **Recordation of Development Agreement.** Pursuant to California Government Code § 65868.5, no later than ten (10) days after City enters into this Agreement, the City Clerk shall record an executed copy of this Agreement, or Memorandum thereof, in the Official Records of the County of Contra Costa. The parties agree to cooperate as to preparation, execution, and recording of a Memorandum hereof.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, this Agreement has been entered into by and between Developer and City as of the day and year first above written.

CITY:

CITY OF PITTSBURG,
a California municipal corporation

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

By: _____
City Attorney

DEVELOPER:

FORECAST LAND INVESTMENT, LLC,
a California limited liability company

By: _____
Name: _____
Title: _____

EXHIBIT A
LEGAL DESCRIPTION

(To follow.)

EXHIBIT A-1

PROJECT SITE DIAGRAM

(To follow.)

EXHIBIT B

APPLICABLE FEES

(To follow.)

2955971.2

EXHIBIT C

AFFORDABLE HOUSING AGREEMENT

(To follow.)

**Exhibit F – Conditions of Approval
Resolution No. 10099**

Planning Conditions:

1. **Conformity with Project Plans:** The project shall be constructed in substantial conformity with the Vesting Tentative Map for Subdivision 9453 (Sheets 1 through 4) dated May 11, 2017; the Landscape Plans dated June 12, 2017 (Sheets L-1.1 through L-3.4); the Master Plot Plan (Sheet 1) dated May 8, 2017; the Architectural Plans dated February 13, 2017 and revised May 11, 2017; and the Street Elevations dated May 11, 2017, 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. **Final Plot Plans:** Final plot plans shall be in substantial conformity with the Master Plot Plan noted above. Minor plot plan rearrangements may be made subject to review and approval by the Planning Division. The developer shall ensure that:
 - a) rearrangements shall not result in more than two of the same Plan 1, 2, 3, and 4 house models being located next to one another.
 - b) where two of the same house models are placed next to one another, a different elevation (either A, B, or C) and different color scheme shall be applied to each house model.
 - c) an A, B, or C elevation shall be repeated no more than twice in each court cluster, irrespective of the floor plan; and
 - d) no two adjacent houses shall be of the same elevation (A, B or C).
 - e) all individual plot plans submitted to the Community Development Department for review shall note the proposed house plan, elevation, and color scheme, and whether the house plan has been reversed.
3. **Final Architectural Plans:** Final Architectural Plans shall reflect the following modifications, subject to review and approval by the Planning Division:
 - a) On Plan 1 (1846), Elevations A through C; Plan 3 (1966), Elevations A through C; and Plan 4 (2034), Elevations A through C; the horizontal siding and brick veneer shall be extended to cover the entire first floor frontage until it intersects with side yard fencing.
 - b) On Plan 2 (2477), Elevation C, the horizontal siding shall be extended above the second window (from left to right) on the first floor.
 - c) On all secondary plan elevation sheets, the language "indicates enhancements at Central Avenue Street View" shall be revised to read "indicates enhancements on Lots 1-4, 54-57, 9-10, 18-19, 27, 33-34, 41-42,

and 48-49”.

- d) Horizontal lap siding, board and batten siding, stone/brick veneer, and ledger details, where indicated on front elevations, shall be extended around all adjacent sides. All base trim details (including brick or stone veneer or stucco pop-outs), located along the bottom portion of the first floor and that wrap around the corner to the left or right side elevation of the house, shall extend all the way to the point at which the fence line intersects the respective side wall and to the foundation line, where applicable. Siding, veneer, or ledger details shall be wrapped around all exposed sides of porch pillars. Trim details shall be included between stucco and lap siding or veneer transitions, where appropriate.
4. **Additional Green Building Features:** The project is required to meet the Residential Mandatory Measures specified under the 2016 California Green Building Standards Code, Part 11. In addition to those measures, the project shall implement the following Residential Voluntary Measures:
- a) A4.106.5 Cool roof for reduction of heat island effect
 - b) A4.106.8 Electric vehicle (EV) charging for new construction
5. **Pre-Wiring Option for Photovoltaic Panels:** The developer shall include, as part of the options package for buyers of single-family houses in the subdivision, an option that offers pre-wiring of the house for photovoltaic (solar) panels. The construction drawings for each plan shall include appropriate electrical and roof framing details as necessary to reflect the option for pre-wiring the houses for roof-mounted photovoltaic panels. The developer shall maintain and make available to all potential buyers, in each sales office, a brochure or list of vendors and installers of solar panels for residential use. A copy of the vendor list/brochure shall be provided to the Planning Division, prior to issuance of the first building permit for construction of a single-family residence.
6. **Final Map:** The Final Map shall reflect the following modifications, subject to review and approval by the Planning Division:
- a) The existing sidewalk fronting the project along Central Avenue shall be replaced with a ten-foot-wide sidewalk in accordance with City standard specifications.
 - b) The Central Avenue frontage shall be striped to provide the optimal number of parallel parking. The striping shall be in accordance with City standard specifications.
7. **Final Landscape Plans:** The developer shall provide estimated water use calculations with the Final Landscape Plans to show compliance with the City's water efficient landscape ordinance. Final Landscape Plans shall also reflect the following modifications, subject to review and approval by the Planning Division:

- a) A six-foot, decorative masonry wall shall be provided along the entire site perimeter and the full eastern boundary of the pocket park on Parcel E. The walls shall be of solid and durable construction utilizing graffiti resistant coating. Pilasters with a decorative concrete cap shall be incorporated at intervals of 25 feet or less. A decorative wall cap shall also be provided along each wall. Any pilaster visible from Central Avenue, Liberty Court, or Parcel E (pocket park) shall incorporate stone veneer. If both sides of a pilaster are visible from two vantage points, both sides shall incorporate stone veneer.
 - b) The developer shall provide walls constructed from concrete block, gravity concrete or similar materials when walls are required between lots and they are equal to or greater than two feet in height.
 - c) Pre-emergent herbicide and a weed barrier shall be provided for all planting areas. Planting areas shall receive a three-inch layer of light brown bark mulch dressing.
 - d) Mailbox cluster units shall have a black finish.
 - e) A black, decorative metal trellis shall be provided over the proposed mailbox cluster units.
 - f) Dark green, decorative metal benches shall be provided near the tot lot area in-lieu of the plastic bench specified on the Landscape Plans.
 - g) A dark green, decorative metal picnic table shall be provided near the tot lot area in-lieu of the plastic table specified on the Landscape Plans.
 - h) At least one dark green, decorative metal trash receptacle shall be provided near the tot lot area.
8. **Installation of Landscaping and Irrigation:** Prior to occupancy of the houses by residents, the developer shall complete installation of landscaping and automatic irrigation systems in street landscape areas and front and corner side yards of respective lots, in accordance with Article VII (Landscaping, Irrigation and Hydroseeding) of PMC Chapter 18.84, or other applicable water efficient landscape ordinance, subject to approval by the Community Development Department. The developer shall provide the irrigation system controller map, programming table, and annual maintenance schedules to new owners upon sale/transfer of ownership of the residential property from the developer to the buyer. Typical front yard landscaping shall include a minimum of one street tree and one smaller ornamental tree per lot, along with a combination of shrubbery and ground cover. If required landscaping is not completed prior to final inspection and occupancy, the developer shall post a bond to assure that the work is completed to the satisfaction of the City.

9. **Water-Efficient Model Home:** At least one of the model houses built in the development shall demonstrate water-efficient landscaping techniques in accordance with Article 7 of Chapter 18.84 of the Zoning Ordinance. The developer shall make available to potential buyers brochures or other written or graphic media that informs visitors and potential buyers about the principles of water-efficient landscapes, including but not limited to those principles that are described in PMC chapter 18.84, article VII.
10. **Street Lights and Spacing:** The developer shall provide a photometric graph and table to determine the appropriate street light spacing for the project. An approved lighting software program that clearly indicates the Average Luminance/Minimum Luminance Uniformity ratio of the roadway within the project area is to be used for the lighting calculations (see City Standard Detail T-1 for details). The developer shall install single-head decorative luminaire poles with LED decorative (“Acorn”) post top light fixtures (as specified on Sheet T-5 of the City of Pittsburgh Traffic and Lighting Details), with a height not to exceed 15 feet, throughout the subdivision and private park in accordance with the photometric graph and table.
11. **AC Unit Placement:** Air conditioning units shall be placed along the wall in the rear or side yards with a minimum of three feet unobstructed access around the unit, except that one side of the unit may have less than a three-foot separation between the unit and a wall of the house.
12. **Rooftop Equipment:** Roof vents shall be painted the same color as roofing material to which they are adjacent. Downspouts, side vents, attached utility boxes, and hose bibs shall be painted the same color or colors as the surface or surfaces to which they are adjacent.
13. **Address Identification:** The developer shall install, on each residence, minimum four-inch high, die-cut, block style numbers that contrast with the building façade for address identification purposes. The numbers shall be a satin black finish, and located directly below façade lighting. The construction drawings submitted for each house model shall identify the location of the address box or number(s) on the house façade, along with a detail or keynote that describes how the house number will be illuminated or made identifiable from the street or shared driveways, as applicable.
14. **Refuse Management Plan:** The developer shall prepare a Refuse Management Plan to promote the safe, efficient, and timely pickup of refuse by Mt. Diablo Resource Recovery. The Plan shall specify: 1) the designated areas for placement of refuse carts; 2) the designated pickup days and timeframes; 3) parking restrictions along designated pickup areas; and 4) the procedure for green waste pickup by the homeowner association’s landscape contractor. The Plan shall be submitted to and approved by the Planning Manager prior to issuance of the first building permit. The developer shall provide each prospective home buyer with a

disclosure advising them of refuse management plan.

15. **Environmental Mitigation Measures:** The developer shall comply with the environmental impact mitigation measures identified below. Where there may be a conflict between the mitigation measures in this exhibit and the Mitigation Monitoring and Reporting Program, attached as Exhibit B of this resolution, the specific measures of this resolution shall govern.

- a) Street Lights (Measure AE-1): The design of the street lights shall be down-focused and indicated on the final development plan to be submitted. A street light plan shall be submitted to the City for review and approval prior to approval of the Project's improvement plans.
- b) Construction BMPs (Measure AQ-1 and 2): The contractor shall implement the following best management practices (BMPs) during construction of the Project:
 - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day and as needed during windy areas to keep site free of airborne dust from construction activities. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 mph.
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible, as well, after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - A publicly visible sign shall be posted with the name and telephone

number for the contact at the Lead Agency for dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

- All diesel-powered mobile equipment larger than 50 horsepower (e.g. loaders, excavators, or graders) and operating on the site for more than two days consecutively shall meet U.S. Environmental Protection Agency (U.S. EPA) particulate matter emissions standards for Tier 2 engines or equivalent; or alternative measures such as the use of alternative-powered equipment (e.g. LPG-powered forklifts), alternative fuels (e.g. biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City of Pittsburgh;
 - All diesel-powered portable equipment (e.g. generators and compressors) operating on the site for more than two days consecutively shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent; or the construction contractor shall use alternative-powered equipment (e.g. LPG-powered forklifts), alternative fuels (e.g. biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the City of Pittsburgh;
 - Line power shall be provided to the site during the building construction phases to minimize diesel-powered generator use; and
 - Equipment hours of operation shall be minimized including the use of idling restrictions.
- c) Take Authorization (Measure BIO-1): The applicant is required to obtain permit coverage under the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan ("ECCC HCP/NCCP"). All applicable standard avoidance and minimization measures of the ECCC HCP/NCCP, as outlined in the draft Planning Survey Report (PSR) dated June 6, 2017, are incorporated as additional mitigations. With the incorporation of these mitigations, the project will be eligible to receive take authorization under the City's incidental take permit from the United States Fish and Wildlife Service (USFWS) issued pursuant to Section 10(a)(1)(B) of the Federal Endangered Species Act (permit number: TE 160958-0) and the City's incidental take permit from the California Department of Fish and Wildlife (CDFW) issued pursuant to California Fish and Wildlife Code Section 2835 (permit number 2835-2007-01-03).
- d) ECC HCP/NCCP Development Fees (Measure BIO-2): Prior to the issuance of grading or construction permits for the project site, the applicant shall pay the final required ECCC HCP/NCCP development fee in effect for Zone I, in compliance with PMC Section 15.108.070 (note that the fee is subject to

annual adjustments, in accordance with Chapter 9.3.1 of the ECCC HCP/NCCP). The final fee shall be paid for approximately 4.24 acres of land to be permanently disturbed, as identified in the draft PSR, which is subject to final review and approval by the Pittsburg Community Development Department.

- e) Preconstruction Surveys for Burrowing Owl (Measure BIO-3): Prior to any ground disturbance related to covered activities, a USFWS/CDFW-approved biologist shall conduct a preconstruction survey in areas identified in the planning surveys as having potential burrowing owl habitat. The surveys shall establish the presence or absence of Western Burrowing Owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines (California Department of Fish and Game 1995).

On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership shall not be surveyed. Surveys should take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no more than 30 days prior to construction. During the breeding season (February 1– August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. Copies of both surveys shall be submitted to ECCC Habitat Conservancy and the City for review and approval.

- f) Avoidance and Minimization and Construction Monitoring for Burrowing Owl (Measure BIO-4): If burrowing owls are found during the breeding season (February 1–August 31), the project proponent shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non- disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1– January 31), the project proponent should avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below).

During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied

burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.

If occupied burrows for burrowing owls are not avoided, passive relocation shall be implemented. Owls should be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors should be in place for 48 hours prior to excavation. The project area should be monitored daily for a week to confirm that the owl has abandoned the burrow. Whenever possible burrows should be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing or a similar structure should be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

- g) Replacement Tree In-Lieu Fees (Measure BIO-5): Prior to the removal of a protected tree, the applicant shall select one of the following options for compliance with PMC section 18.84.885: a) replacement of the removed trees at a four-to-one ratio with 24-inch box trees; b) replacement of the trees at a twelve-to-one ratio with 15-gallon trees; c) payment of in-lieu fees equal to the replacement trees' value, installation costs and one year of maintenance costs, as calculated with a twelve-to-one ratio of 15-gallon trees; or d) a combination of replacement and payment of in-lieu fees.
- h) Archaeological Resource Discovery (Measure CR-1): Construction shift foremen, excavation equipment operators and other construction workers with responsibility for observing construction excavations shall be instructed by a representative of the Owner 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 Owner's representative if such resources are discovered. In the event of a discovery, the City shall be promptly notified 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.
- i) Liquefaction Evaluation (Measure GEO-1): A complete liquefaction evaluation shall be performed as a part of the design-level geotechnical investigation.

The liquefaction evaluation shall be submitted with the design level geotechnical study when the grading plans are submitted.

- j) Geotechnical Report (Measure GEO-2): Prior to the approval of improvement plans and issuance of a grading permit, the Applicant shall submit a design-level geotechnical report to the City of Pittsburg Engineering Division for review and approval. The standard City requirements for a design level report include, at a minimum: 1) compaction specifications for on-site soils; 2) road and pavement design; 3) structural foundations; 4) grading practices; 5) erosion/winterization; and 6) expansive/unstable soils.
- k) Stormwater Control Plan and Report (Measure HYD-1): The developer shall submit a complete Stormwater Control Plan and Report for the Liberty Residential Subdivision. The C.3 treatment facilities shall be adequately sized to treat the stormwater runoff from the associated drainage management areas. In the event it is discovered that the treatment facilities on-site does not provide adequate capacity, the developer shall provide off-site treatment at another facility. The offsite facility shall be retrofitted or constructed to meet current C.3 standards, and provide the equivalent capacity that was infeasible at the on-site facility. The developer may choose to submit an alternative C.3 compliance plan, subject to approval by the City Engineering Division.
- l) Consistency with Stormwater Control Plan (Measure HYD-2): 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, or an alternative C.3 compliance plan approved by the City Engineering Division, 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.
- m) Stormwater Facility Details (Measure HYD-3): 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 features, 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.
- n) Stormwater BMP O&M Plan and Maintenance Agreement (Measure HYD-4): The developer shall submit the final draft of the Stormwater BMP Operation and Maintenance Plan and Operations and Maintenance Agreement for the project's C.3 facilities, or alternative C.3 compliance plan to the Engineering Division for review prior to the first final building permit approval. The developer shall also execute the, which pertain to the transfer of ownership

and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook.

- o) Annexation to CFD 2016-1 (Measure HYD-5): Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2016-1 (Maintenance of Project Facilities and Future Annexation Area). The CFD provides funding for on-site project and off-site stormwater treatment facilities.
- p) SWPPP (Measure HYD-6): The developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) and submit two (2) copies to the Engineering Division for review and comment prior to the issuance of a Grading Permit. 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. The developer shall provide the project WDID number as evidence of having obtained a construction permit from the Regional Water Quality Control Board. If a WDID number has not yet been issued, a copy of the Notice of Intent that was sent to the Regional Water Quality Control Board shall be submitted with the grading permit application.
- q) Acoustical Review and Window Rating (Measure NOI-1): Prior to the issuance of building permits, a qualified acoustical consultant shall review final site plans, building elevations, and floor plans to confirm that the design results of interior noise levels are reduced to 45 dBA CNEL or lower. The results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City along with the building plans and approved prior to the issuance of a building permit.

All upper-floor windows of residences adjacent to Central Avenue (homes on Lots 1-4 and 54-57) and the UPRR tracks (homes on Lots 24-33) shall be upgraded to a Sound Transmission Class (STC) rating of 32.

- r) Forced-Air Mechanical Ventilation (Measure NOI-2): Prior to the issuance of Building Permits, the applicant shall show on the construction drawings that a suitable form of forced-air mechanical ventilation shall be installed as determined by the City Building Official, for units throughout the site, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.

- s) Construction Noise (Measure NOI-3): Prior to the issuance of construction permits, the contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities are scheduled to minimize noise disturbance. The plan shall implement, but not be limited to, the following available control measures to reduce construction noise levels as low as practical:
- Construction activities shall be limited to the hours between 7:00 AM and 5:30 PM, Monday through Friday. Saturday work is subject to approval by the City Engineer. No construction activities should occur on Sundays or federal Holidays (consistent with General Plan Policy 12-P-9 and as approved by the City Engineer and Chief Building Official);
 - Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment;
 - Prohibit all unnecessary idling of internal combustion engines;
 - Utilize “quiet” models of air compressors and other stationary noise sources where technology exists;
 - Locate all stationary noise-generating equipment, such as air compressors and portable power generators as far away as possible from adjacent residential land uses;
 - Locate construction staging areas and construction material storage areas as far away as possible from adjacent residential land uses;
 - Designate a “Disturbance Coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (i.e. starting work too early) and would require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator for the construction site and include the telephone number in the notice sent to neighbors regarding the construction schedule; and
 - Hold a preconstruction meeting with job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule and noise coordinator) are complied with.
- t) Annexation to CFD 2017-1 (Measure PS-1): Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first,

- the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2017-1 (Fire Safety Services). The CFD provides funding for increased fire protection and emergency services in the project area.
- u) Fire Lane (Measure PS-2): The 20-foot-wide access roadways that branch off of Liberty Court shall have signs posted or curbs painted red with the words “NO PARKING — FIRE LANE” clearly marked on both sides of the roadway.
 - v) Emergency Apparatus Access and Hydrants (Measure PS-3): Emergency apparatus access roadways and hydrants are required to be installed, in service, and inspected by the Contra Costa County Fire Protection District (CCCFPD) prior to construction or combustible storage on site. 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.
 - w) Water Supply for Fire Protection (Measure PS-4): The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,000 gallons per minute. Required flow must be delivered from not more than one (1) hydrant flowing for a duration of 120 minutes while maintaining 20 pounds residual pressure in the main. The developer shall submit a minimum of two (2) copies of site improvement plans indicating proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. Final placement of hydrants shall be determined by the CCCFPD.
 - x) Fire Sprinklers (Measure PS-5): All proposed homes shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of the National Fire Protection Association (NFPA) standard 13D or Section R313.3 of the 2016 California Residential Code. The developer shall submit a minimum of two (2) sets of plans to CCCFPD for review and approval prior to installation.
 - y) Annexation to CFD 2005-1 (Measure PS-6): Prior to issuance of any engineering or building permits, whichever permit is eligible to be issued first, the applicant shall deliver written confirmation that the owner of the property has elected to annex the property into the Community Facilities District (CFD) 2005-1 (Public Safety Service). The CFD provides funding for increased police coverage in the project area.
 - z) Left Turn Lane into Subdivision (Measure TRANS-1): The applicant shall provide a left turn lane into the Project site and ensure that it is long enough to accommodate at least two vehicles (60 feet). The left turn lane shall be included on the improvement plans and reviewed and approved by the City Engineer prior to issuance of an engineering permit.

Engineering Conditions:

16. **Stop Sign:** The developer shall install a stop sign at the point of egress from Liberty Court. The final design and location of the stop signs shall be subject to approval by the City of Pittsburg Engineering Division.
17. **Abutter's Rights:** The developer shall relinquish abutter's rights for all corner lots.
18. **Adequate Capacity:** The developer shall evaluate all existing storm, sewer, and water facilities directly impacted by this project to assure 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.
19. **Dedication of Water Services:** All water services shall be dedicated to the City of Pittsburg. The developer shall provide waterline easements for portions of waterlines within motor court parcels. Water services shall be publicly maintained up to the water meter of each parcel.
20. **Water Sampling Station:** The developer shall provide a water sampling station as required by the Public Works Department.
21. **Hazardous Materials Site Assessment:** The developer shall have the site sediment evaluated for polychlorinated biphenyl (PCB) and mercury contamination. If PCB and/or mercury containing materials are found to be present, the developer shall have this material removed and properly disposed of by a licensed contractor. Written documentation of the appropriate removal and disposal of PCB and/or mercury containing material shall be submitted to the Engineering Division prior to the issuance of any site improvement or building permits. The developer further understands that the removal of PCBs and/or mercury containing material shall be performed according to federal or California Law and regulations, including but not limited to the Toxic Substances Control Act or the PCBs regulation at 40 CFD Part 761, and EPA Regulations 40 CFD 761.
22. **Major Subdivision Map Processing Fee:** The developer shall pay a Major Subdivision Map Processing fee according to the following amounts as applicable to the project:
 - a) \$2,300.00 for 5-50 lots, (plus \$800.00 /additional plan checks after third review);
 - b) \$3,000.00 for 51-150 lots, (plus \$1,065.00/additional plan checks after third review); or
 - c) \$3,365.00 for 151-250 lots, (plus \$1,330.00/additional plan checks after third review).

This fee shall be paid in full to the Engineering Division prior to the City Council's

approval of the Final Map.

23. **Improvement Plan Check Fee:** The developer shall pay one half of the total Improvement Plan Check Fee with the initial submittal of Improvement Plans. The Plan Check Fee is based upon the engineer's estimate, which shall also be provided with the initial plans submittal. The current Improvement Plan Check Fee is 3.5% of the engineer's estimate for the cost of the improvements. This initial payment will be applied towards the total fees due for the project. The remaining balance of the fee shall be due payable prior to the issuance of an Engineering Site Development Permit.

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.

24. **Improvement Inspection Fee:** The developer shall pay an Improvement Inspection Fee according to the following rates as applicable to the project:
- a) 6.5% of the engineer's estimate for projects whose total estimated costs for improvements are less than or equal to \$500,000.
 - b) 4% of the engineer's estimate for projects whose total estimated costs for improvements are between \$500,001 - \$5 million.
 - c) 3.6% of the engineer's estimate for projects whose total estimated cost for improvements are more than \$5 million.

25. **Grading Plan Check Fee:** The developer shall pay one half of the total Grading Plan Check Fee with the initial submittal of Grading Plans. The Grading Plan Check Fee is based upon the engineer's estimate, which shall also be provided with the initial plans submittal. The current Grading Plan Check Fee is 2.5 % of the engineer's estimate for the cost of grading, or per the Grading Fee Table approved by City Council. This initial payment will be applied towards the total fees due for the project. The remaining balance of the fee shall be due payable prior to the issuance of a Grading Permit.

26. **Facilities Reserve Charge:** The developer shall pay the City of Pittsburgh Facilities Reserve Charge (PMC Chapters 13.08, 13.12 and 13.24) (the "FRC") for water and sewer service in the amounts in effect when the developer obtains a building permit. The developer understands that the current water FRC is described in the fee schedule approved by Resolution No. 12-11778, effective April 21, 2012, a copy of which is available at the City. The water and sewer FRCs shall be paid prior to the issuance of a building permit.

27. **Local Transportation Mitigation Fee:** The developer shall pay the Local Traffic Mitigation Fee in accordance with PMC Chapter 15.90 to the Engineering

Department prior to issuance of a building permit. The developer 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.

28. **Regional Transportation Development Impact Mitigation Fee:** The developer shall pay the Pittsburgh Regional Transportation Development Impact Mitigation Fee (the "PRTDIM"), to the Engineering Division, when obtaining a building permit. The Developer shall fully comply with the Memorandum of Understanding dated June 29, 2010, including payment of the fees referenced therein.
29. **Refundable Deposits:** The developer shall pay the following deposits prior to City Council's approval of the Final Map and Improvement Plans, which are fully refundable at the completion of the project provided that the developer submit the following items at project completion:
 - a) \$500.00 for Final Map Mylar
 - b) \$500.00 for As-Built Mylar deposit and electronic file of grading and improvement plans.
 - c) A Sanitary Sewer Inspection Deposit of \$1,000.00 plus \$1.10 per linear foot of sewer main.
 - d) A Storm Drain Inspection Deposit of \$1,000 plus \$1.10 per linear foot of storm drain inspection.
30. **City GIS Fee:** The developer shall pay the City \$100 per dwelling unit to update the City Geographic Information System.
31. **NPDES Plan Review Fee:** The developer shall pay an NPDES plan review fee for review of stormwater control plans and processing of closeout agreements and/or review of Storm Water Pollution Prevention Plans (SWPPP). The current fee is:
 - a) \$3,000 for the first 10,000 sf up to 1st acre (projects with Risk Factor 1)
 - b) Flat fee of \$3,111/acre plus add an additional \$136/acre for projects greater than 1 acre, up to the first 5 acres (projects with Risk Factors 2 or 3)
 - c) Add additional \$31/acre for projects greater than 5 acres
32. **NPDES Inspection Deposit:** The developer shall comply with one of the following measures:
 - a) Pay an NPDES inspection deposit for City staff's inspection of C.3 compliant facilities constructed, and/or inspection of construction site for compliance with Best Management Practices in accordance with the City's Municipal Regional Stormwater NPDES Permit.

The current rate is: \$12,000 for the first 10,000 square feet up to 1st acre

(projects with Risk Factor 1) and \$24,000 for projects greater than 1 acre (projects with Risk Factor 2 or 3).

This deposit shall remain in place for the duration of the first year of the project. If the project is completed prior to the project's anniversary, the remaining balance of the deposit will be returned to the developer.

- b) Submit an alternative C.3 compliance plan. The alternative C.3 compliance plan shall be subject to approval by the City Engineering Division.
33. **Final Map and Closure Calculations:** The developer shall submit three (3) copies of the Final Map, with closure calculations to the Engineering Division for review and comment prior to City Council's approval of the Final Map and any improvement or grading plans.
34. **Engineering Plans:** The developer shall submit seven (7) sets of engineering plans for review and comment to the Engineering Division. The engineering plans should include but not be limited to the following:
- a) Site Plan
 - b) Grading and Drainage Plan
 - c) Utilities Plan
 - d) Landscaping and Irrigation Plan
 - e) Joint Trench
35. **Record Drawings:** Before project acceptance, the developer shall submit a complete set of record drawings to the Engineering Division, in an acceptable electronic format, that is AutoCAD compatible (including final maps, grading plans, improvement plans, landscaping, irrigation plans, etc.).

Standard Conditions:

36. **Standard Conditions of Development:** The Standard Conditions of Development, as adopted by the Pittsburgh 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 and the project-specific conditions identified in this resolution, the specific conditions of this resolution shall govern.
37. **Design of Storm Drain, Water, and Sewer Facilities:** The design and construction of storm drain, water, and sewer facilities shall be in accordance with PMC Section 17.28.020.
38. **Compliance with PMC Title 12, 13, and 15:** All site development shall comply with PMC Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers), and Title 15 (Buildings and Construction) 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.

39. **Undergrounding of Utilities:** All utility boxes and/or transformers shall be undergrounded. Where undergrounding is deemed infeasible or not recommended by Pacific Gas & Electric (PG&E), utility boxes and/or transformers shall be masked by either faux stone utility box covers or a landscape screen. Screening mechanism shall be approved by the Planning Manager prior to installation.
40. **Other Agency Requirements:** The developer shall comply with all the requirements of the Community Development Department and all other applicable local, state, and federal agencies.
41. **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 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.
42. **Vesting Tentative Map Expiration:** The conditional approval of the Vesting Tentative Map expires 36 months after the adoption of this resolution, in accordance with PMC section 17.20.070(a). The expiration of the map terminates all proceedings and no final or parcel map may be filed without first processing a new tentative map. An extension of approval may be granted by the Planning Commission upon application to the Planning Division before the map expiration date.
43. **Design Review Approval Expiration:** The conditional design review approval of the Vesting Tentative Map for Subdivision 9453, Landscape Plans, Master Plot Plan, and Architectural Plans, and Street Elevations will expire 24 months after the adoption of this resolution, 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.

APN: 086-131-022

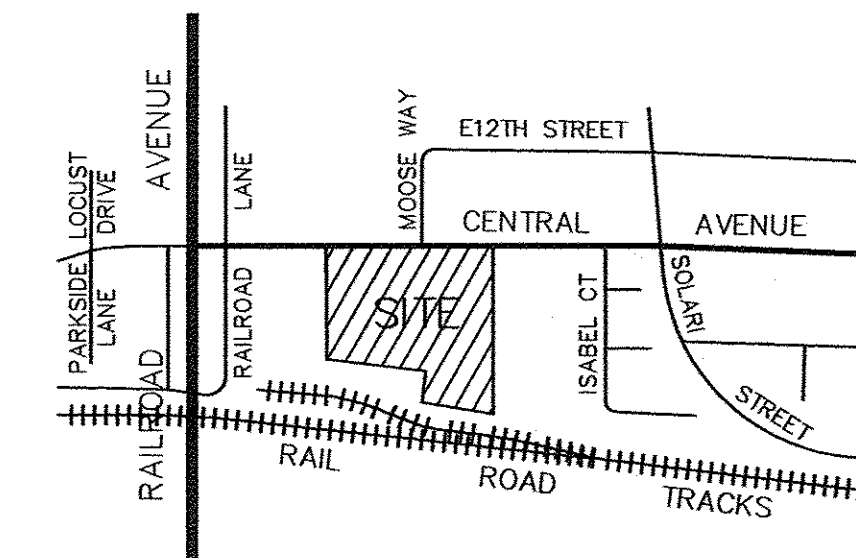
APN: 086-131-014

APN: 086-131-013

"LIBERTY"

VESTING TENTATIVE MAP, PRELIMINARY GRADING, AND DRAINAGE PLAN

SUBDIVISION 9453
CITY OF PITTSBURG
MAY, 2017



VICINITY MAP
NOT TO SCALE

GENERAL NOTES:

- OWNER/DEVELOPER:
DISCOVERY BUILDERS, INC.
4061 PORT CHICAGO HIGHWAY, SUITE H
CONCORD, CA 94520
(925) 682-6419
- CIVIL ENGINEER:
ISAKSON & ASSOCIATES, INC.
2255 YGNACIO VALLEY ROAD, SUITE C
WALNUT CREEK, CA 94598
(925) 937-9333
- SOILS ENGINEER:
TRC ENGINEERING, INC.
ONE CONCORD CENTER
2300 CLAYTON ROAD, SUITE 610
CONCORD, CA 94520
- APN: 086-160-009, 011, 012
086-151-001
- EXISTING LAND USE: VACANT LOT
- EXISTING GENERAL PLAN: SERVICE COMMERCIAL & LOW DENSITY RESIDENTIAL
- PROPOSED GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL
- PRESENT ZONING: SERVICE COMMERCIAL (CS) & SINGLE FAMILY RESIDENTIAL (RS-5)
- PROPOSED ZONING: PLANNED DEVELOPMENT (PD)
- NUMBER OF LOTS PROPOSED: 57
- WATER: CITY OF PITTSBURG
- SEWAGE: CITY OF PITTSBURG
- MINIMUM LOT SIZE: 2,016 SQUARE FEET (LOT 14)
- MAXIMUM LOT SIZE: 4,126 SQUARE FEET (LOT 27)
- GROSS DENSITY: 11.45 D.U. / GROSS ACRE
- AREA:
PARCEL A 2,180 SF (LANDSCAPE AREA)
PARCEL B 4,752 SF (MOTOR COURT)
PARCEL C 4,752 SF (MOTOR COURT)
PARCEL D 4,717 SF (MOTOR COURT)
PARCEL E 11,867 SF (PARK)
PARCEL F 5,349 SF (MOTOR COURT)
PARCEL G 3,904 SF (MOTOR COURT)
PARCEL H 891 SF (PARKING)
PARCEL I 4,371 SF (MOTOR COURT)
PARCEL J 808 SF (PARKING)
PARCEL K 4,494 SF (MOTOR COURT)
PARCEL L 1,787 SF (LANDSCAPE AREA)

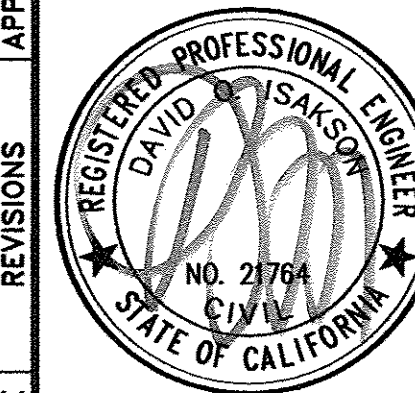
LEGEND:

EXISTING	PROPOSED		
		STORM DRAIN AND DIRECTION	
		SANITARY SEWER AND DIRECTION	
		SANITARY SEWER & MANHOLE	
		WATER & GATE VALVE	
		FIRE HYDRANT	
		STREET LIGHT	
		ASPHALT CONCRETE	
		CONCRETE	
		PROJECT BOUNDARY	
		LOT LINES	

SHEET INDEX

SHEET No.	DESCRIPTION
1	TITLE SHEET
2	TYPICAL SECTIONS AND DETAILS
3	UTILITY PLAN
4	DEMOLITION PLAN

PARCEL E
PARK

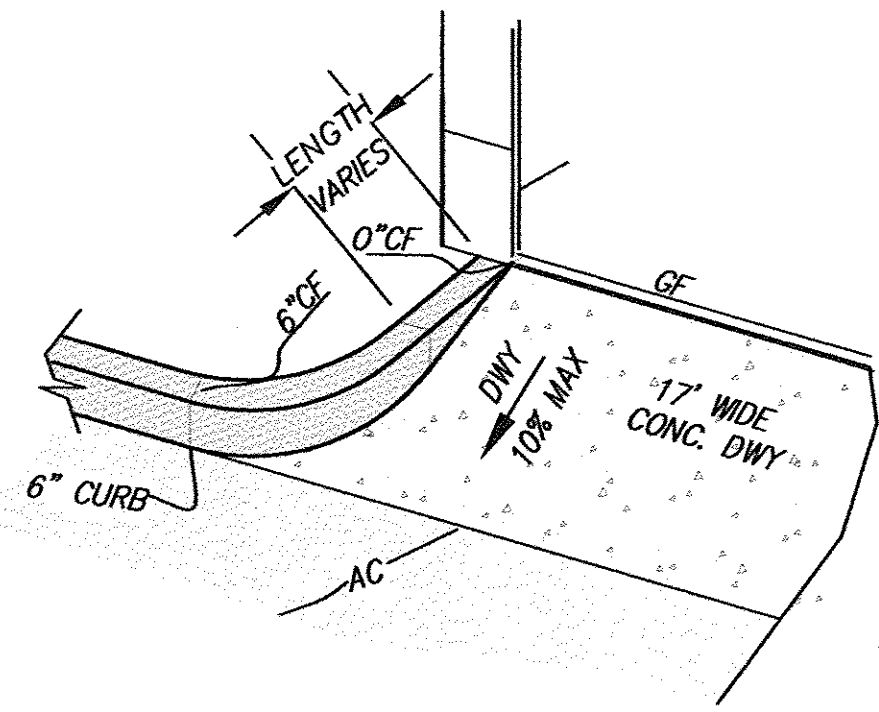


SUBDIVISION 9453
**VESTING TENTATIVE MAP
& PRELIMINARY DRAINAGE PLAN**
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

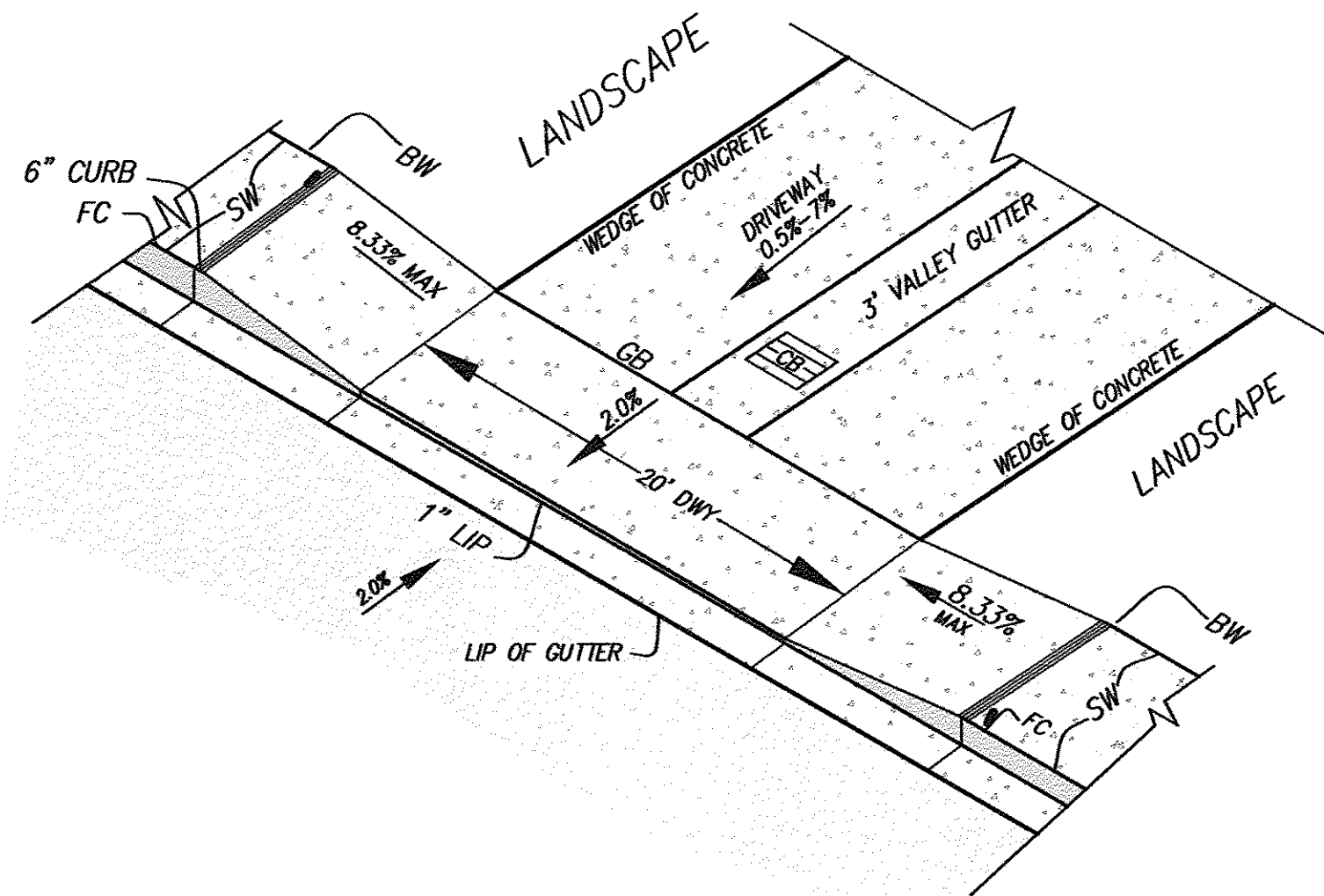
Isakson & Assoc. Inc.
civil engineering land surveying
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone: (925) 937-9333

DATE: 05-11-17	DESIGNED BY: DOI	DRAWN BY: STAFF	CHECKED BY: DOI	JOB NO. 201616	SHEET 1 OF 4
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"LIBERTY"
CONCEPTUAL UTILITIES
SECTIONS AND DETAILS
SUBDIVISION 9453
CITY OF PITTSBURG

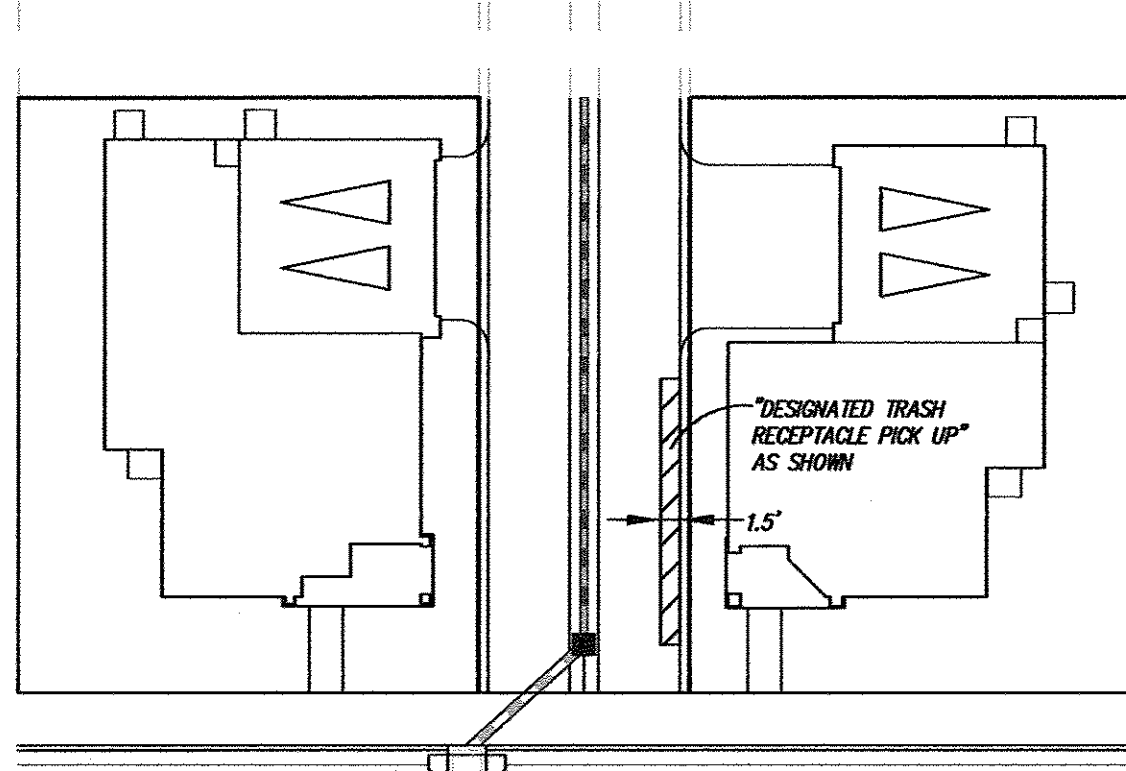


TYPICAL CURB & GUTTER
TRANSITION AT DRIVEWAY
APRONS
NOT TO SCALE

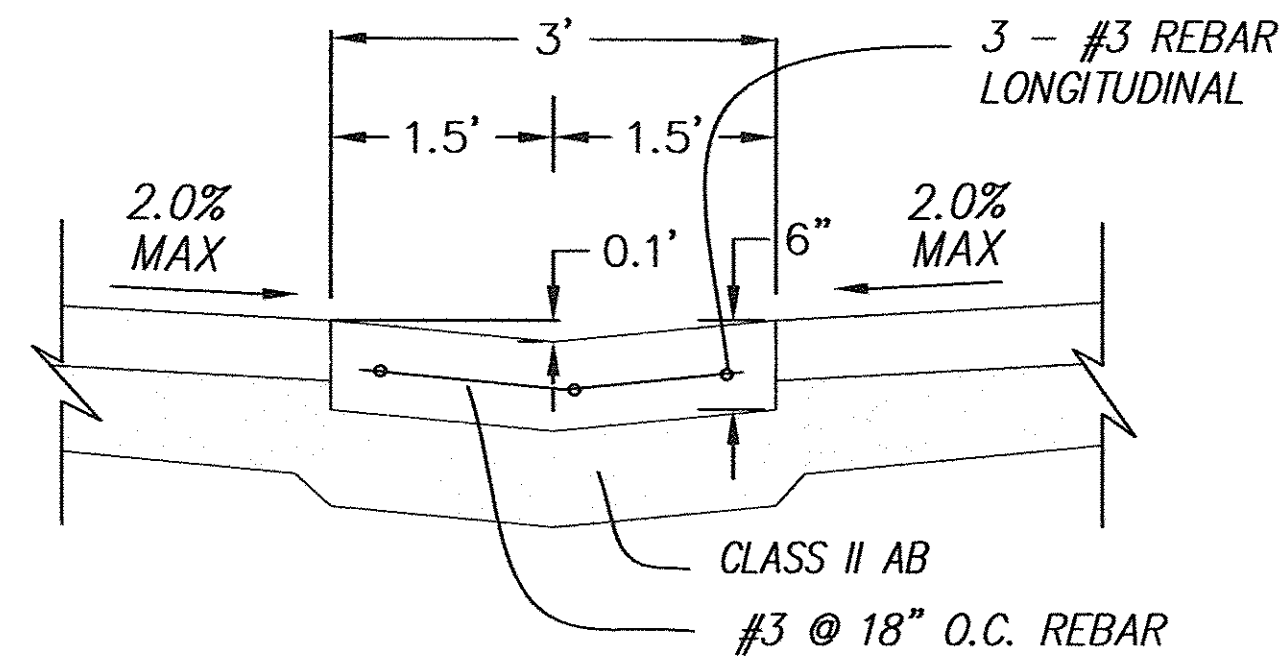


TYPICAL MOTORCOURT APPROACH DETAIL

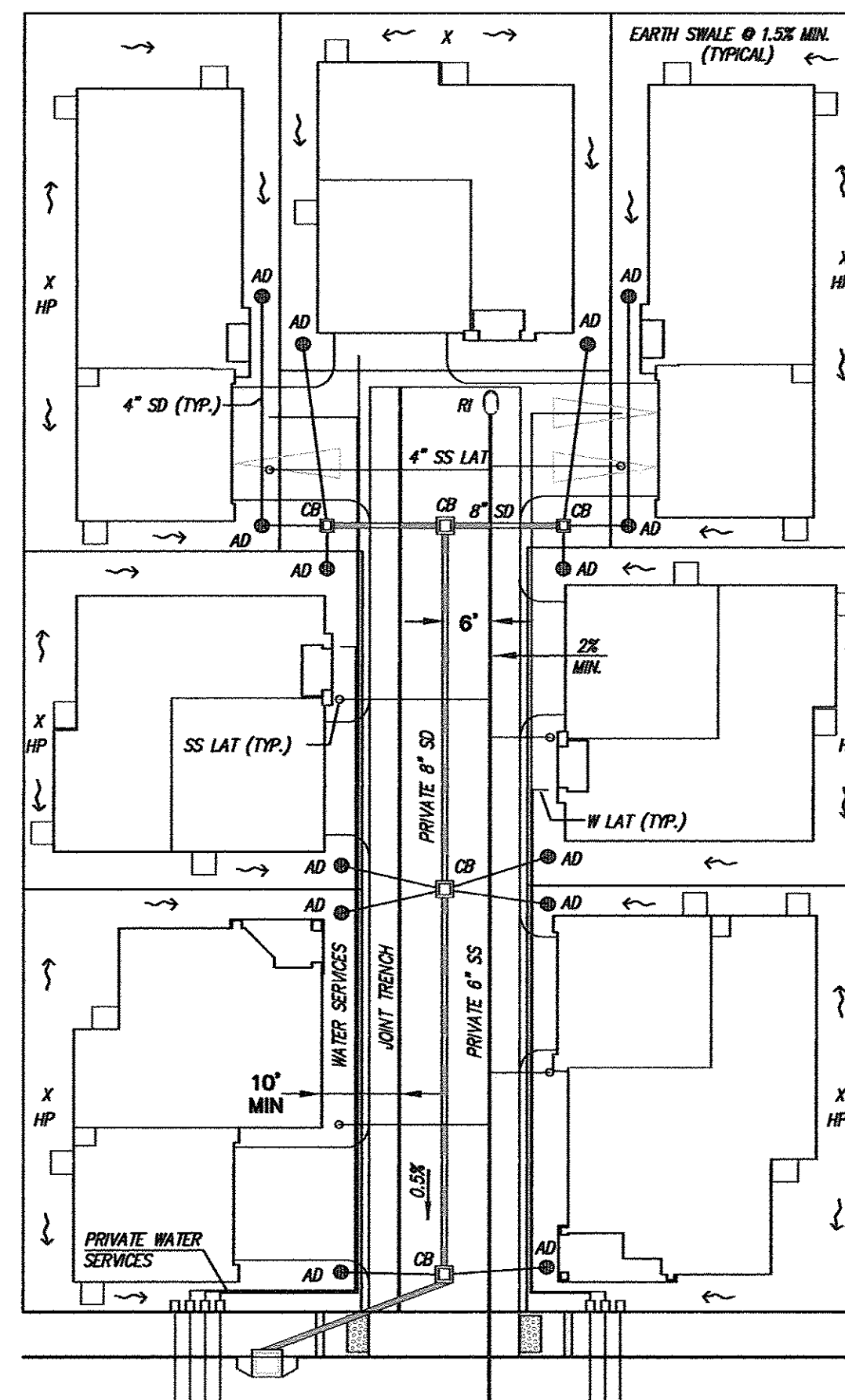
NOT TO SCALE



TYPICAL "DESIGNATED TRASH
RECEPTACLE PICK UP"
NOT TO SCALE

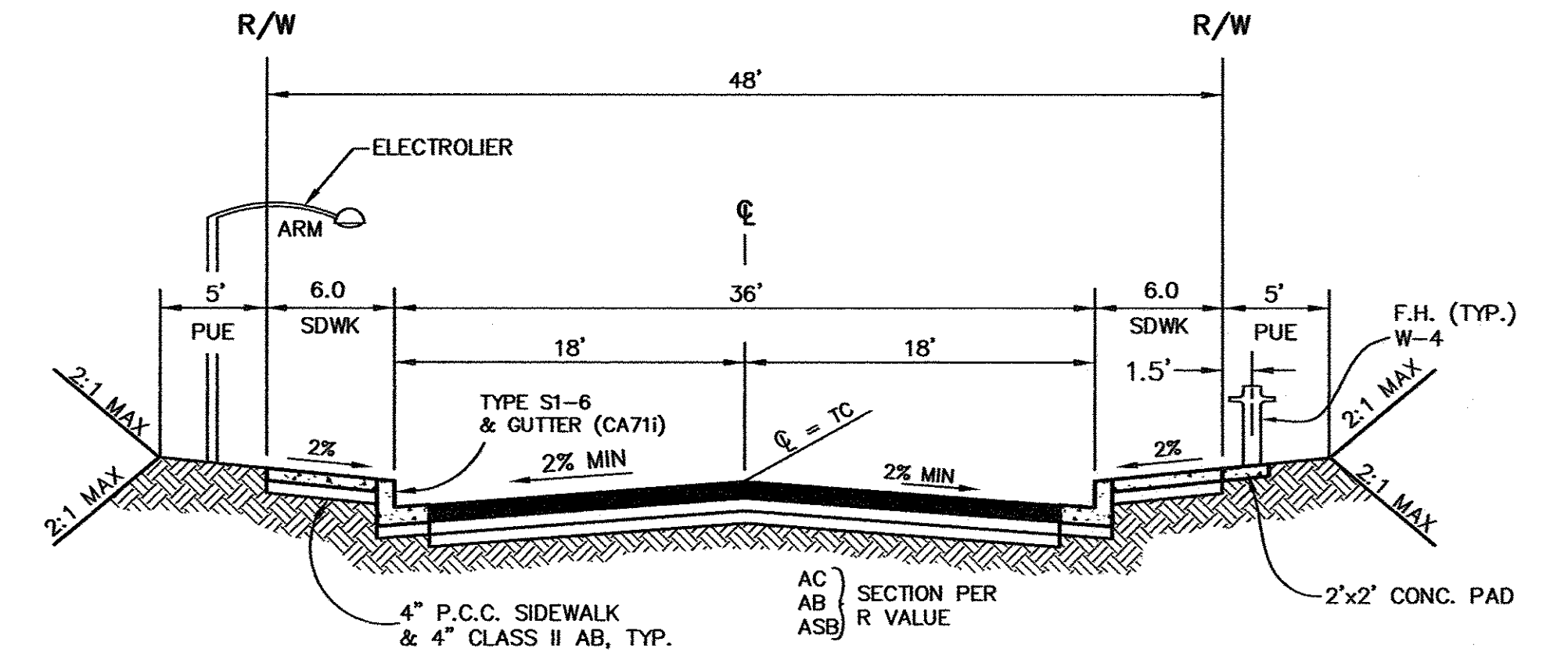


TYPICAL VALLEY GUTTER
NOT TO SCALE

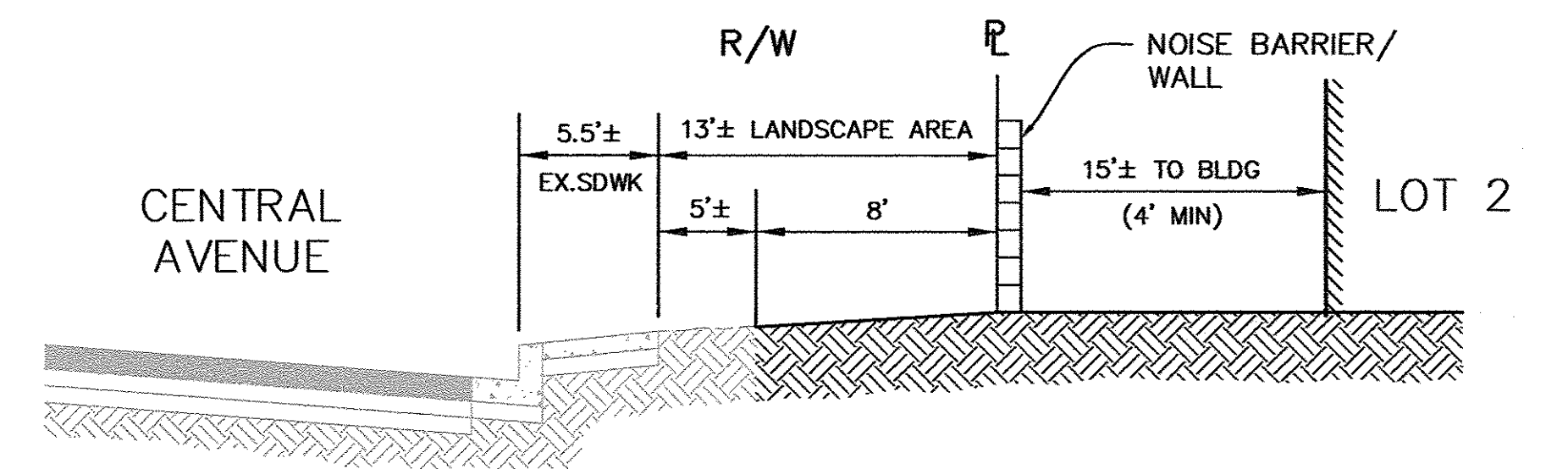


TYPICAL MOTOR COURT UTILITY
AND CONCEPTUAL DRAINAGE LAYOUT

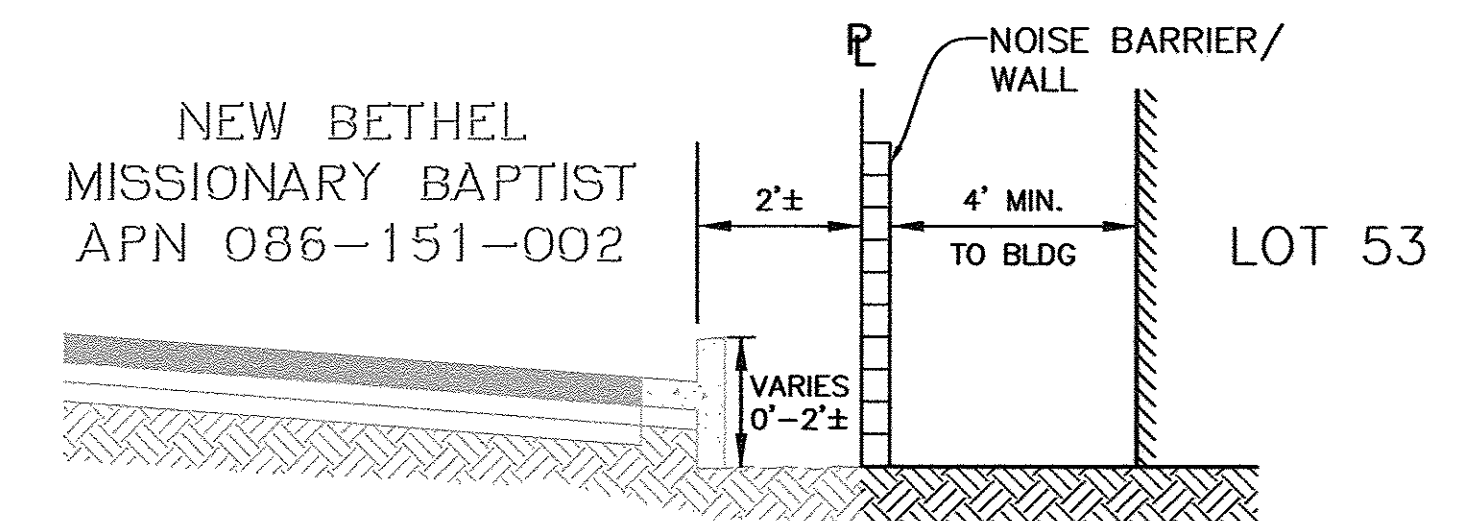
NOT TO SCALE



PUBLIC STREET 48' R/W
NOT TO SCALE



SECTION A-A
NOT TO SCALE



SECTION B-B
NOT TO SCALE

[illegible]

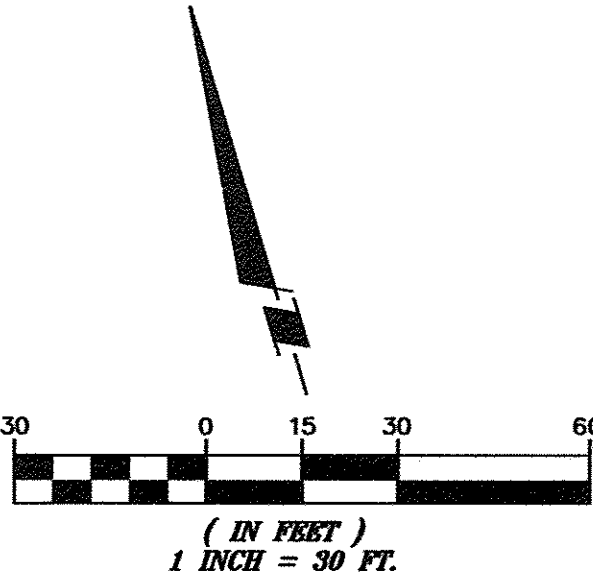
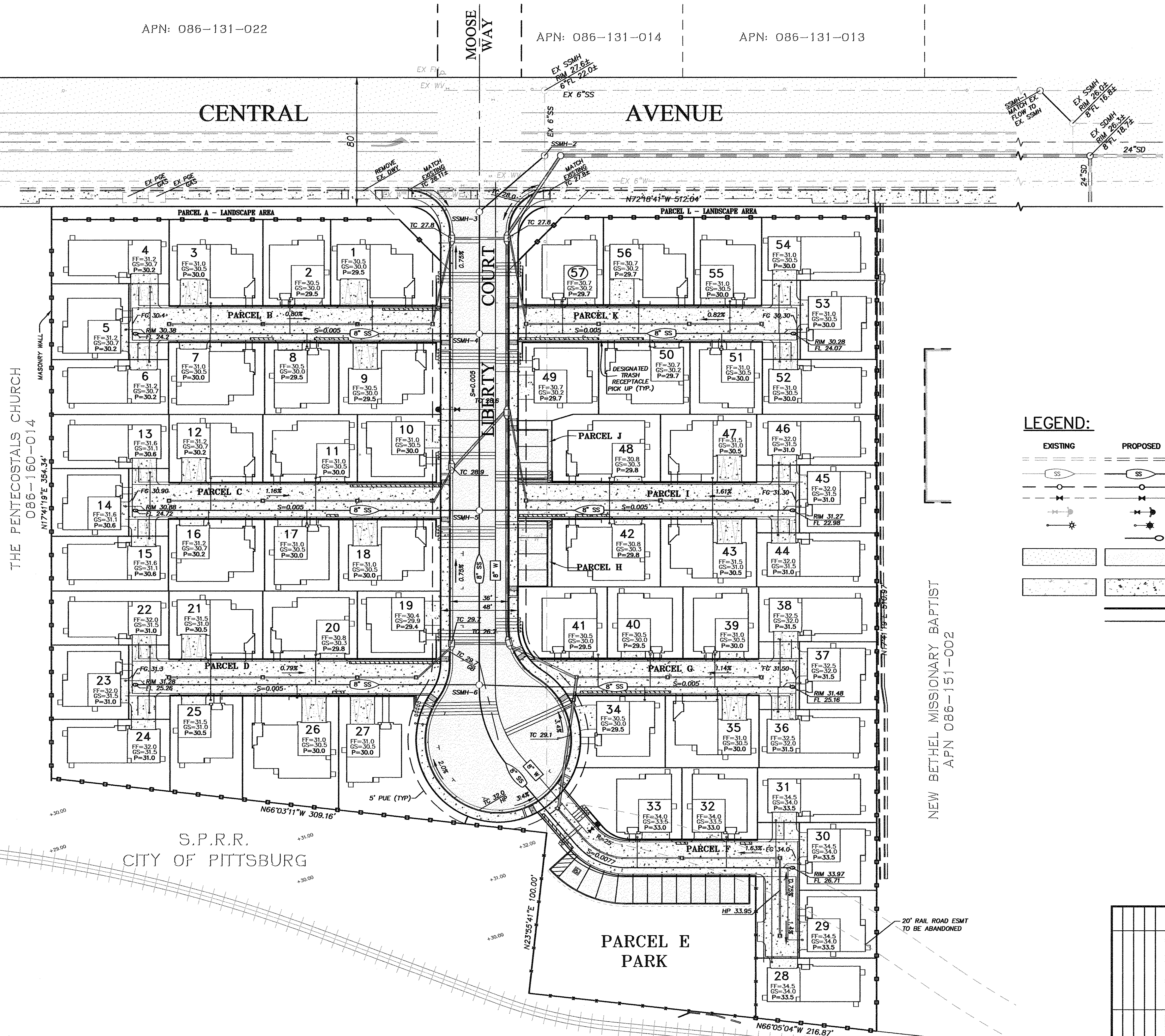
APN: 086-131-022

APN: 086-131-014

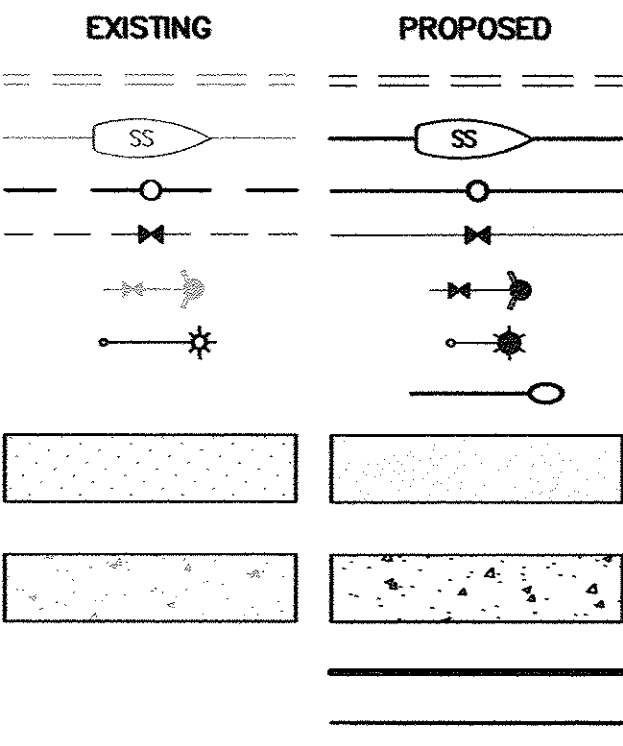
APN: 086-131-013

"LIBERTY"

UTILITY PLAN



LEGEND:



- STORM DRAIN
 - SANITARY SEWER AND DIRECTION
 - SANITARY SEWER & MANHOLE
 - WATER & GATE VALVE
 - FIRE HYDRANT
 - STREET LIGHT
 - RODDING INLET
 - ASPHALT CONCRETE
 - CONCRETE
 - PROJECT BOUNDARY
 - LOT LINES
- BOARD FENCE
 - MASONRY WALL
 - PRIVATE STORM DRAIN & CATCH BASIN
 - PUBLIC STORM DRAIN & CATCH BASIN
 - DESIGNATED TRASH RECEPTACLE PICK UP
 - LOT NUMBER
 - PAD ELEVATION
 - FINISH FLOOR ELEVATION
 - GARAGE SLAB ELEVATION
 - LOT AREA
 - LOT DIMENSION

SANITARY SEWER	MANHOLE	TABLE
SSMH #	RIM ELEV.	FLOW LINE ELEV.
SSMH-1	MATCH EX.	FLOW TO EX. SSMH
SSMH-2	MATCH EX.	FL 22.2± VERIFY
SSMH-3	27.7	FL 22.47
SSMH-4	28.3	FL 22.85 THRU FL 23.10 IN
SSMH-5	29.1	FL 23.40 THRU FL 23.65 IN
SSMH-6	29.9	FL 23.94 THRU FL 24.19 IN

DATE: 05-11-17

DESIGNED BY: DOI

DRAWN BY: STAFF

CHECKED BY: DOI

JOB NO. 201616

SHEET 3 OF 4

APPR. REVISIONS

REGISTERED PROFESSIONAL ENGINEER
DAVID M. ISAKSON
NO. 21761
CIVIL
STATE OF CALIFORNIA

SUBDIVISION 9453

LIBERTY

VESTING TENTATIVE MAP
UTILITY PLAN

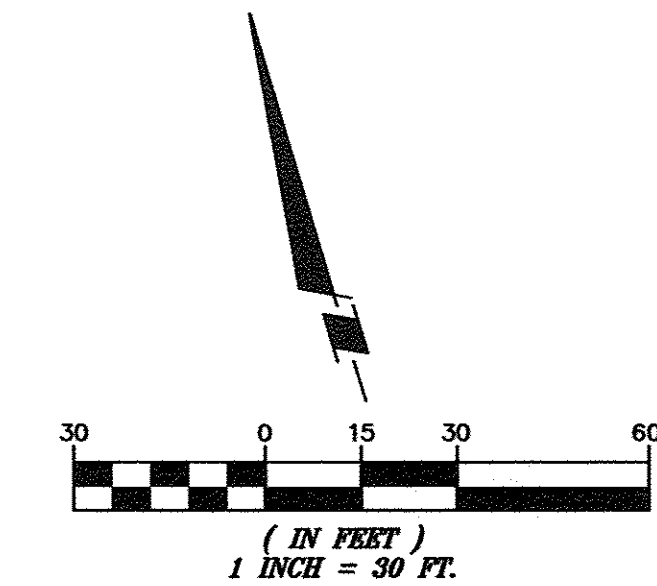
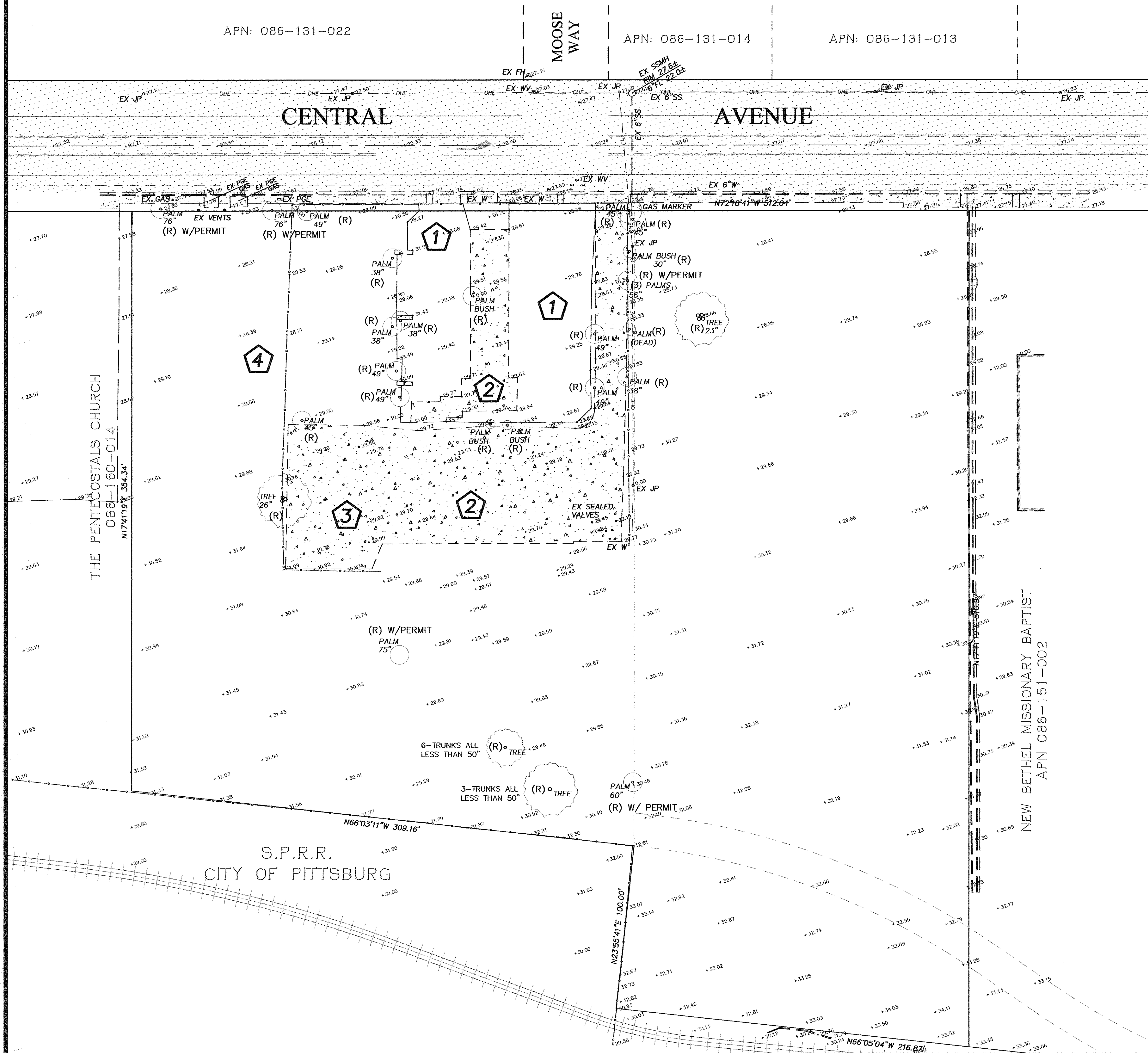
CITY OF PITTSBURG CONTRA COSTA COUNTY CALIFORNIA

Isakson & Assoc. Inc.
civil engineering land surveying

2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone: (925) 937-9333

"LIBERTY"

DEMOLITION & TREE REMOVAL PLAN



TO BE REMOVED:

- 1 REMOVE EXISTING AC
- 2 REMOVE EXISTING CONCRETE
- 3 REMOVE EXISTING BOLLARDS
- 4 REMOVE EXISTING CHAIN LINK FENCE

LEGEND:

- PROJECT BOUNDARY
- PROPERTY LINES
- EXISTING PAVEMENT
- EXISTING CONCRETE
- (R) REMOVE TREE
- TREES OVER 50" REQUIRE A PERMIT TO BE REMOVE

DATE	05-11-17	DESIGNED BY	DOI	DRAWN BY	STAFF	CHECKED BY	DOI	JOB NO.	201616	SHEET	4 OF 4
REGISTERED PROFESSIONAL ENGINEER DAVID O. ISAKSON NO. 21764 CIVIL STATE OF CALIFORNIA SUBDIVISION 9453 VESTING TENTATIVE MAP DEMOLITION PLAN 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											

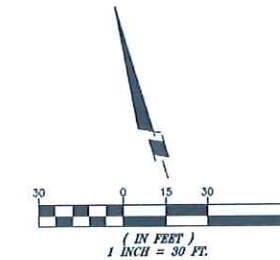
APN: 086-131-013

"LIBERTY"

GARBAGE SERVICE

EXHIBIT

SUBDIVISION 9453
CITY OF PITTSBURG
OCTOBER, 2017



LEGEND / ABBREVIATIONS:

-
- Diagram illustrating a street layout with various features and dimensions:
- TRASH PICK UP SIGN** (with a trash can icon)
 - TRASH RECEPTACLE PICKUP AREA** (with a trash can icon)
 - SIDEWALK WITH LENGTH** (with a dimension of $L = 3.0'$)

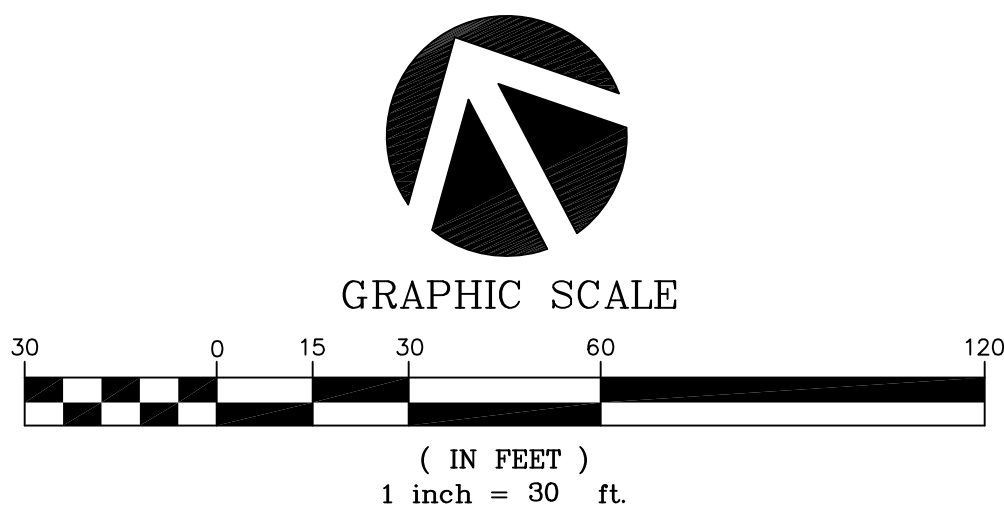
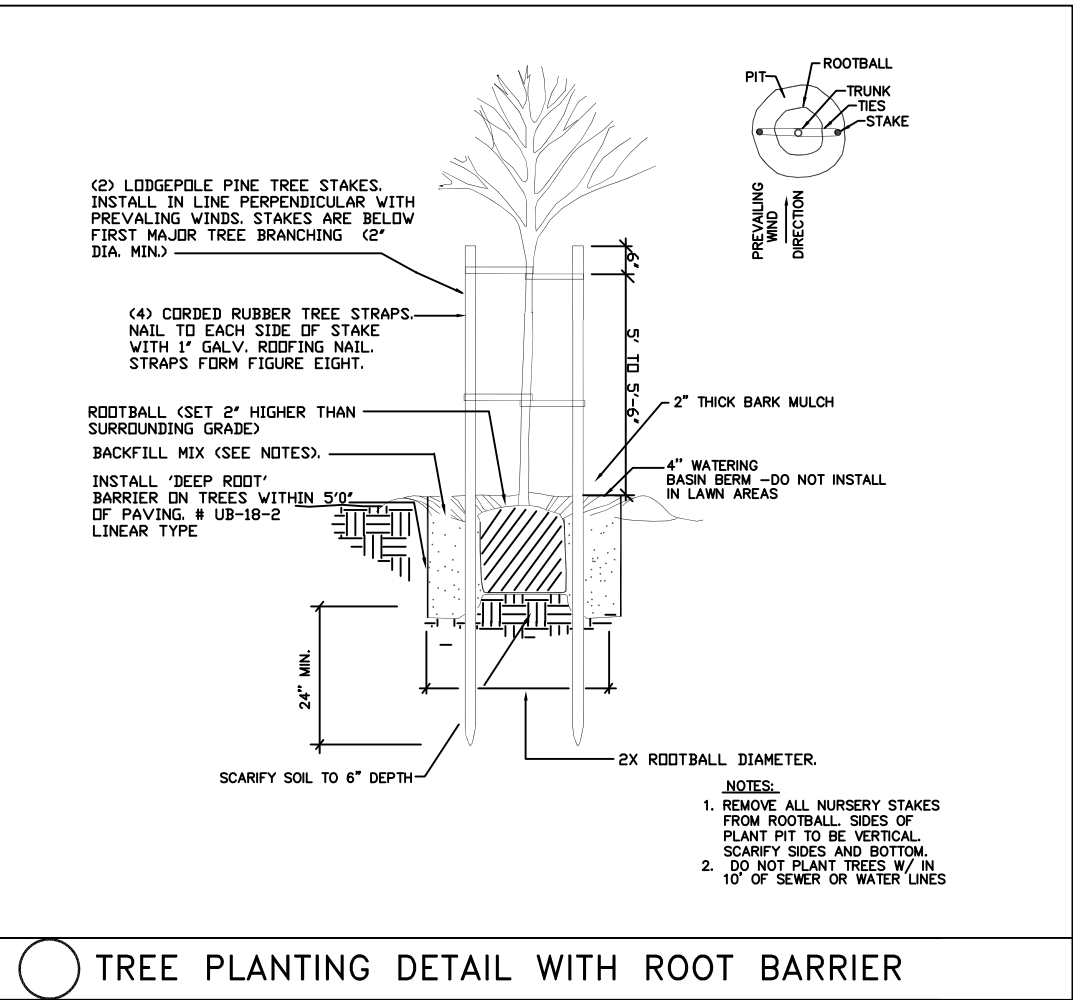
TOTAL PARKING SPACES: 32
***NOTE: 19 PARKING SPACES AVAILABLE ON**
GARBAGE PICK UP DAYS

[illegible]



- LEGEND:**
- 1 6 FT. HT. SOLID WOOD FENCE; SEE DETAIL 1, SHEET L-1.2
 - 2 NEW SOUNDWALL; SEE DETAIL 2, SHEET L-1.2
 - 3 6 FT. HT. WOOD FENCE W/ LATTICE TOP TO BE AT ALL SIDEYARD RESIDENTIAL FENCING FACING STREET CUL-DE-SAC; SEE DETAIL 1 SHT. L-1.2
 - 4 CLUSTER MAILBOX UNIT LOCATION (4 UNITS); SEE IMAGE ON SHEET L-1.2

- GENERAL NOTES:**
- 1. ALL PLANTING SHALL BE WATERED BY A FULLY AUTOMATIC, WATER-CONSERVING IRRIGATION SYSTEM OPERATED BY A WEATHER-BASED IRRIGATION CONTROLLER.
 - 2. ALL PLANTING AREAS (EXCEPT STORM WATER TREATMENT BASINS) SHALL RECEIVE A 3" LAYER OF BARK MULCH DRESSING.



REFER TO SHEET L-1.2 FOR DETAILS

REVISIONS

Thomas Baak & Associates, LLP
Landscape Architects
1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2383

CENTRAL AVENUE
SUBDIVISION 9453
PITTSBURG, CALIFORNIA

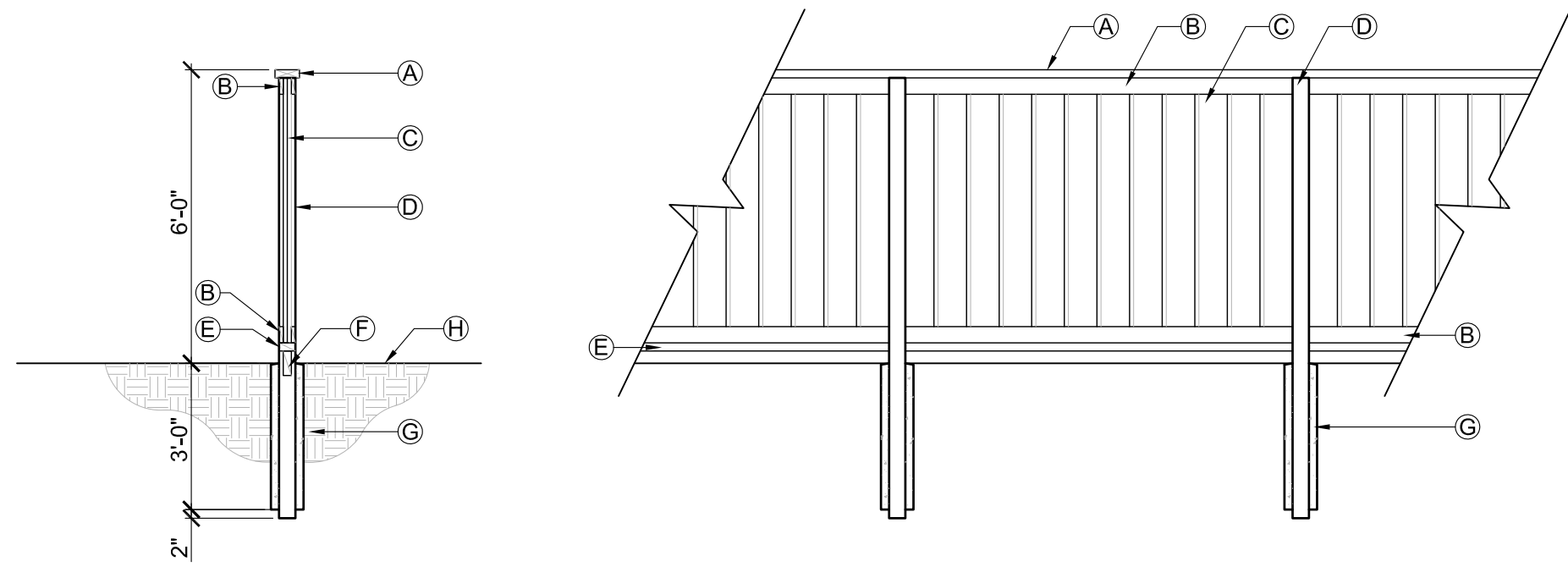
STREET TREE AND
FENCING PLAN

DESIGNED: RS	DRAWN: RS
CHECKED:	JOB NO:
DATE 06-12-17	
SCALE NOTED	

SHEET

L-1.1

OF SHEETS



ITEM DESCRIPTIONS:

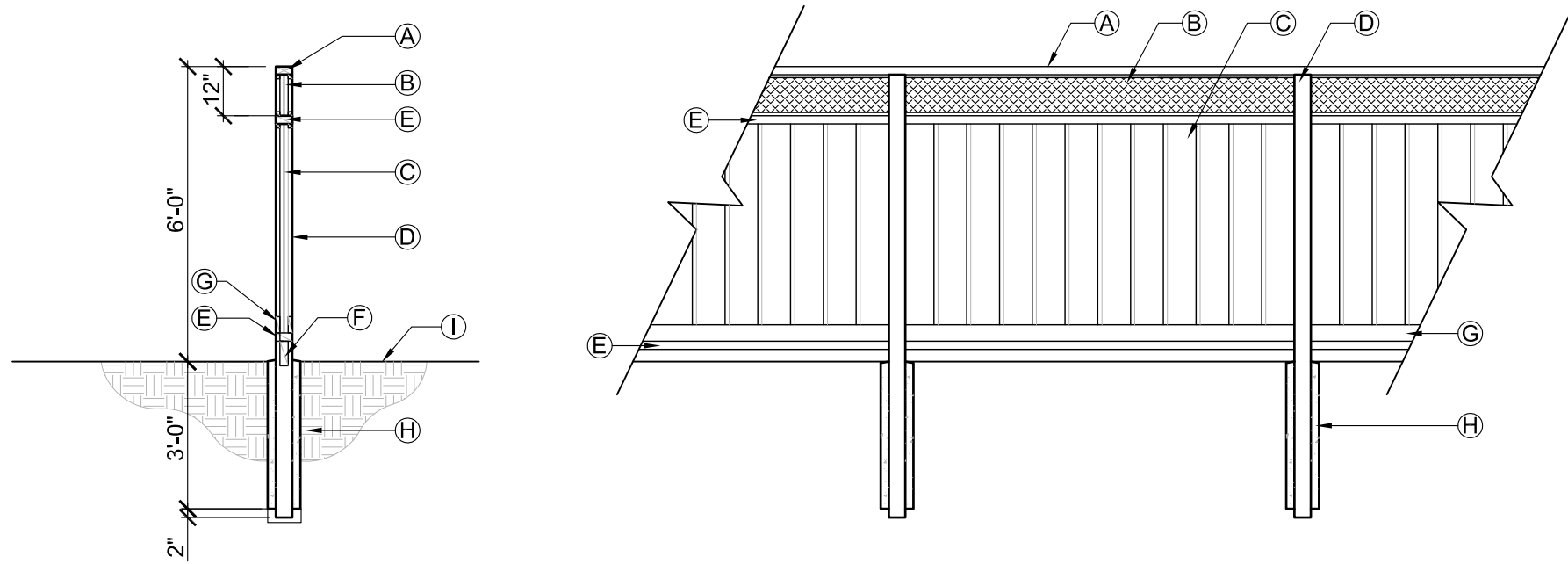
- A - 2"x6" CAP; CONTINUOUS
B - 1"x4" CLEATS; BOTH SIDES
C - 1"x8" BOARDS; ANGLE SET WITH 1" OVERLAP
D - 4"x4" PTDF POST AT 8' O.C. MAX.
E - 2"x4" BOTTOM STRINGER
F - 2"x6" PTDF KICKER
G - 8"ØX36" DEEP CONCRETE FOOTING
H - FINISH GRADE

NOTES:

- ALL WOOD TO BE ROUGH SAWN REDWOOD UNLESS NOTED OTHERWISE.
HOLD TOP RAIL LEVEL; STEP FENCE & ALTER PANEL WIDTH AS NECESSARY TO CONFORM TO GRADES.

1 WOOD FENCE DETAIL

NO SCALE



ITEM DESCRIPTIONS:

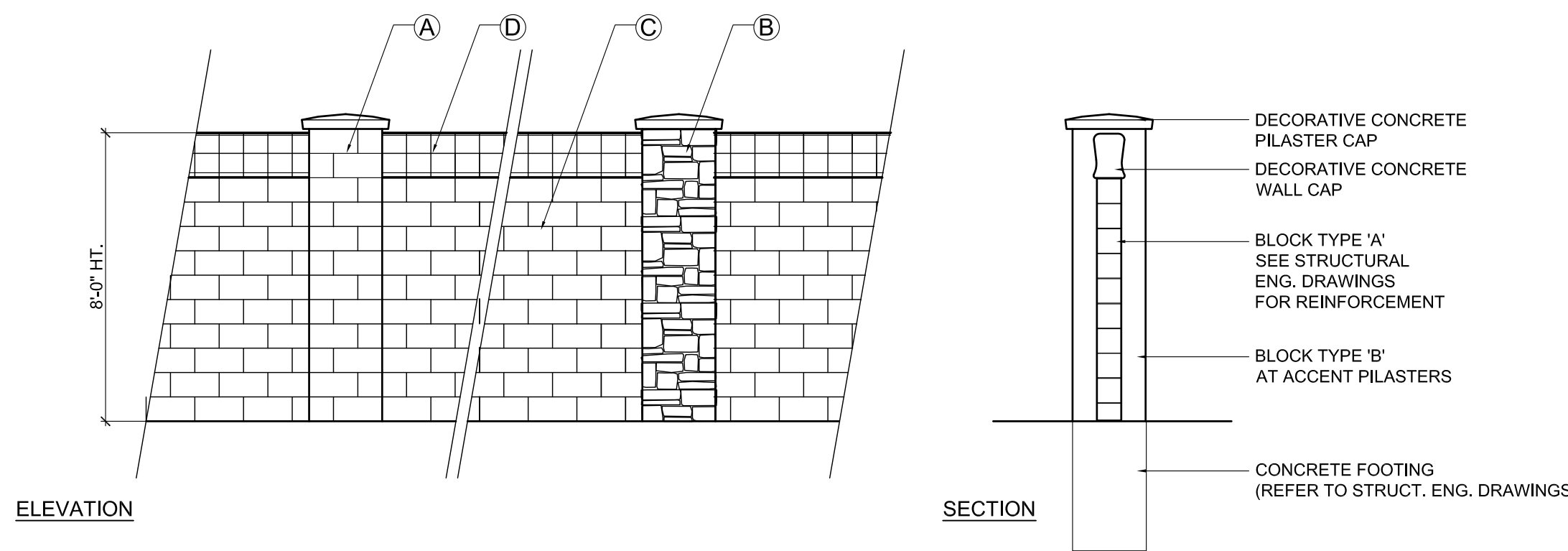
- A - 2 X4 CAP; CONTINUOUS
B - JUMBO LATTICE PANEL INSETS; SECURED W/ 1x1 NAIL STRIPS TOP/BOTTOM, BOTH SIDES
C - 1x8 BOARDS; ANGLE SET WITH 1" OVERLAP
D - 4 X4 PTDF POST AT 8' O.C. MAX; EXTEND 2" BELOW CONCRETE INTO 3" SAND BASE.
E - 2 X4 MID RAIL AND BOTTOM STRINGER
F - 2 X8 PTDF KICKER
G - 1x4 NAILER EACH SIDE BOTTOM OF BOARDS
H - 8"ØX36" DEEP CONCRETE FOOTING
I - FINISH GRADE

NOTES:

1. ALL WOOD TO BE ROUGH SAWN REDWOOD UNLESS NOTED OTHERWISE.
2. HOLD TOP RAIL LEVEL; STEP FENCE & ALTER PANEL WIDTH AS NECESSARY TO CONFORM TO GRADES.
3. THIS FENCE DETAIL TO BE INSTALLED AT ALL RESIDENTIAL SIDEYARD FENCING FACING THE CUL-DE-SAC STREET.

2 WOOD FENCE W/ LATTICE DETAIL

NO SCALE



ELEVATION

SECTION

ITEM DESCRIPTIONS:

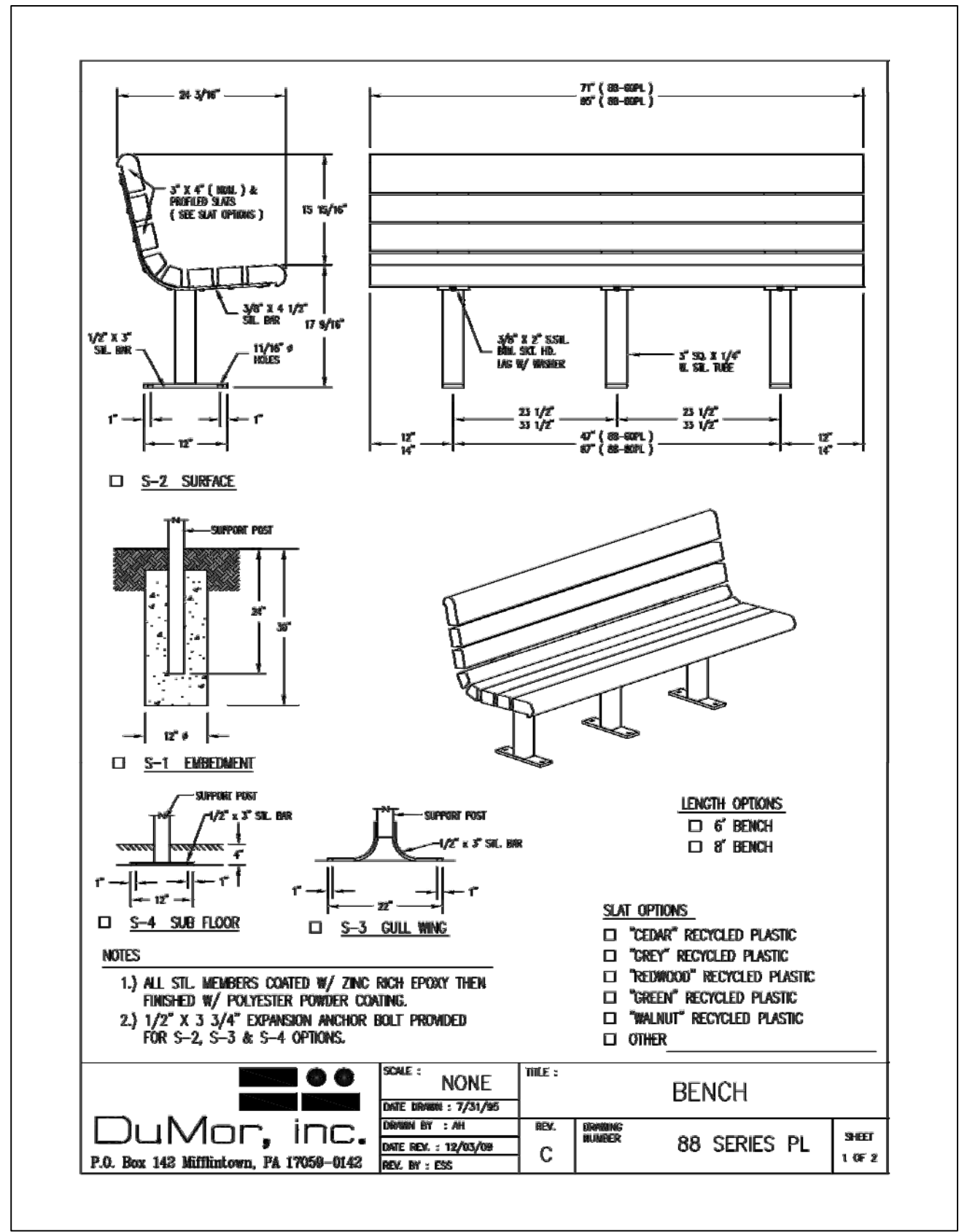
- A - PILASTERS CMU BLOCK W/ SPLIT-FACE FINISH AND PRECAST STONE CAP, ON WALLS FACING SCHOOL STREET ONLY; CMU TYPE B' 8x8x16 BASALITE (D-113 COLOR); PRECAST CAP BY HANDAL STONE (SAND COLOR) OR APPROVED EQUALS.
B - PILASTERS WITH STONE VENEER AND PRECAST STONE CAP, ON WALL FACING HARBOR STREET ONLY; STONE VENEER TO MATCH EXISTING PILASTERS ON HARBOR STREET; PRECAST CAP BY HANDAL STONE (SAND COLOR) OR APPROVED EQUAL.
C - 8x8x16 CMU MASONRY BLOCK WITH SPLIT-FACE FINISH, CMU TYPE A' 8x8x16 BASALITE (D-345 COLOR); OR APPROVED EQUAL
D - DECORATIVE WALL CAP CONTINUOUS BETWEEN PILASTERS; REGAL BY BASALITE (COLOR AND FINISH TO MATCH PILASTER CAP).

NOTES:

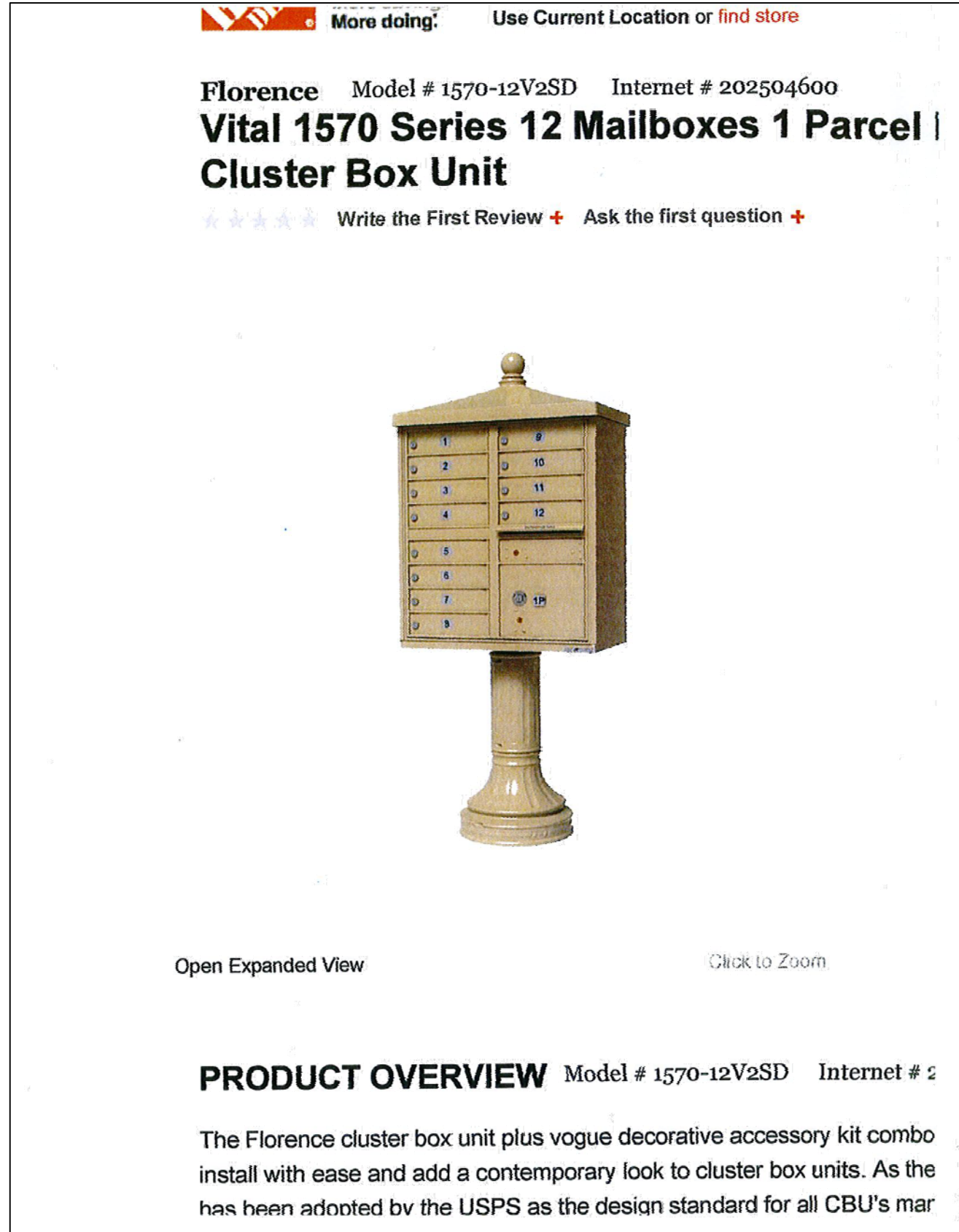
1. THIS DETAIL IS FOR DESIGN APPEARANCE AND BIDDING PURPOSES ONLY. OWNER TO PROVIDE UPDATES AND VERIFY APPROVED SOUNDWALL DETAIL. WALL CONTRACTOR IS RESPONSIBLE FOR ALL STRUCTURAL DESIGN AND CALCULATIONS, REINFORCING, FOOTINGS, ETC.
2. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO ARCHITECT OR OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
3. FINAL STRUCTURAL PLANS TO BE PROVIDED BY CONTRACTOR FOR REVIEW AND APPROVAL BY THE CITY.

3 PROJECT WALL DETAIL (PROTO II THEME)

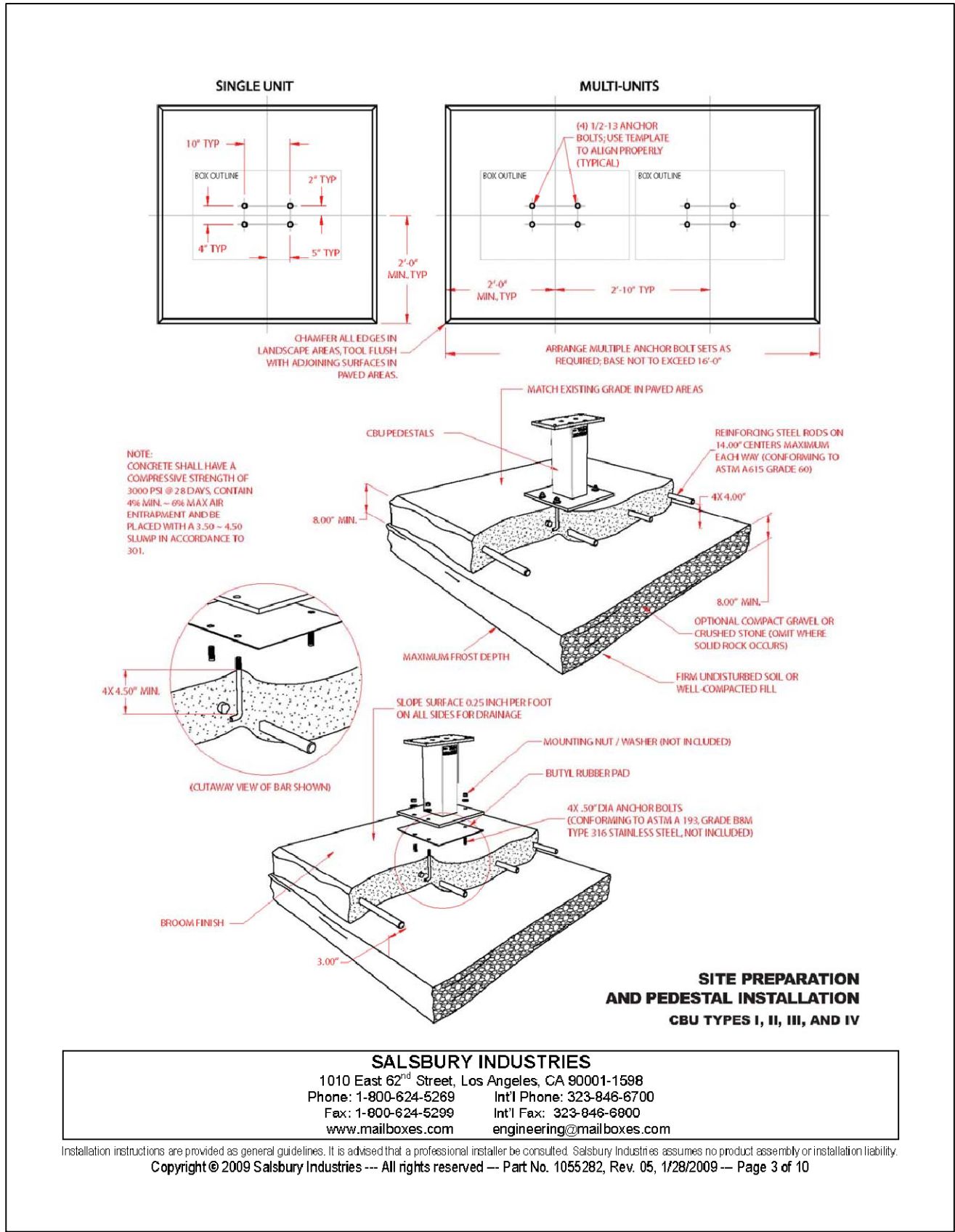
NO SCALE

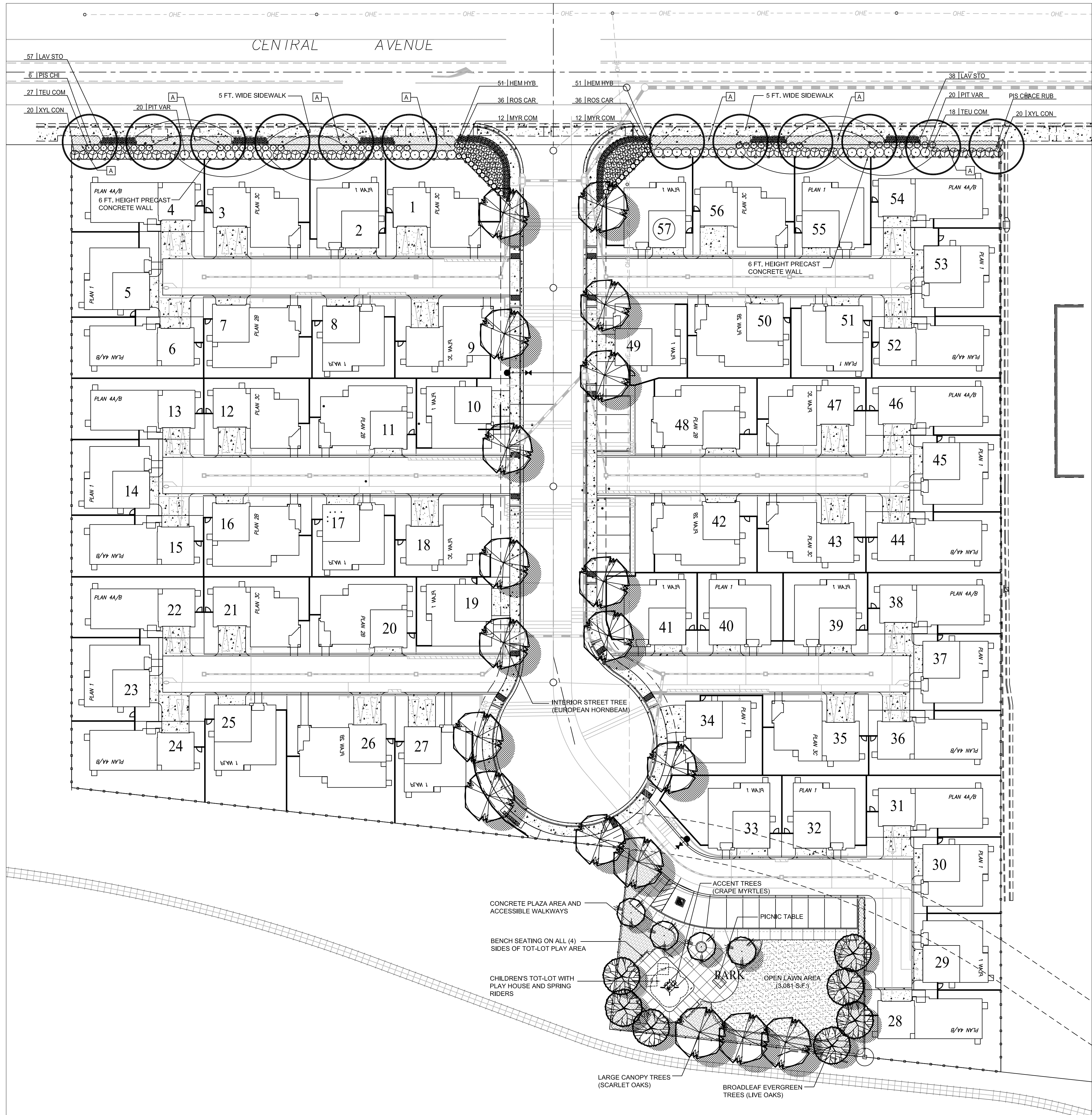


BENCH SEATING AT TOT LOT



MAILBOX CLUSTER UNIT



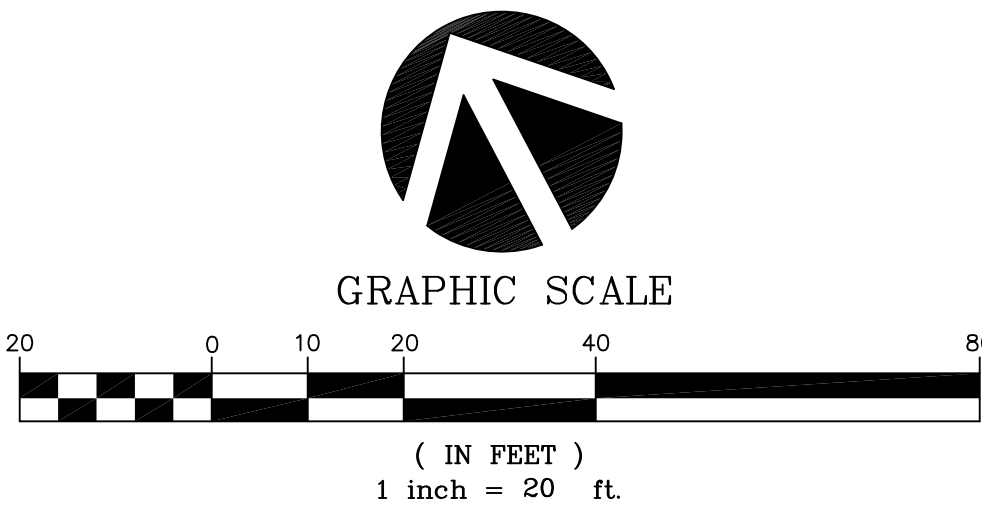


PLANT MATERIALS LIST:

SYMBOL	BOTANICAL NAME	COMMON NAME	WUCOLS WATER NEEDS
CENTRAL AVENUE TREES: TO BE 24" BOX SIZE			
PIS CHI	PISTACIA CHINENSIS	CHINESE PISTACHE	LOW
INTERIOR STREET TREES: TO BE 15 GALLON SIZE			
	CARPINUS BETULUS 'FRANS FONTAINE'	EUROPEAN HORNBEAM	MEDIUM
BROADLEAF EVERGREEN TREES: TO BE 15 GALLON SIZE			
	QUERCUS AGRIFOLIA	CALIFORNIA LIVE OAK	LOW
ACCENT TREES: TO BE 15 GALLON SIZE			
	LAGERSTROEMIA 'NATCHEZ'	WHITE CRAPE MYRTLE	LOW
SHRUBS: TO BE 5 GAL. SIZE			
PIT VAR	PITTOSPORUM TOBIRA 'VARIEGATA'	VARIEGATED TOBIRA	LOW
ROS CAR	ROSA 'CARPET RED'	RED CARPET ROSE	MEDIUM
TEU COM	TEUCRIUM FRUTICANS 'COMPACTUM'	DWARF GERMANDER	LOW
XYL CON	XYLOSMA CONGESTUM	SHINY XYLOSMA	LOW
PERENNIALS: TO BE 1 GAL. SIZE			
HEM HYB	HEMEROCALLIS HYBRID	YELLOW EVERGREEN DAYLILY	MEDIUM
LAV STO	LAVANDULA STOECHAS	SPANISH LAVENDER	LOW
GROUNDCOVERS: SIZE AND SPACING NOTED BELOW			
A	ARCTOSTAPHYLOS UVA-URSI 'POINT REYES'	PROSTRATE MANZANITA	LOW
	FROM 1 GAL. CANS AT 36" O.C.		

GENERAL NOTES:

- ALL PLANTING SHALL BE WATERED BY A FULLY AUTOMATIC, WATER-CONSERVING IRRIGATION SYSTEM OPERATED BY A WEATHER-BASED IRRIGATION CONTROLLER.
- ALL PLANTING AREAS (EXCEPT STORM WATER TREATMENT BASINS) SHALL RECEIVE A 3" LAYER OF BARK MULCH DRESSING.



REFER TO SHEET L-2.2 FOR HOA PARK PARCE
REFER TO SHEET L-1.1 FOR PROJECT FENCING AND WALLS

REVISIONS

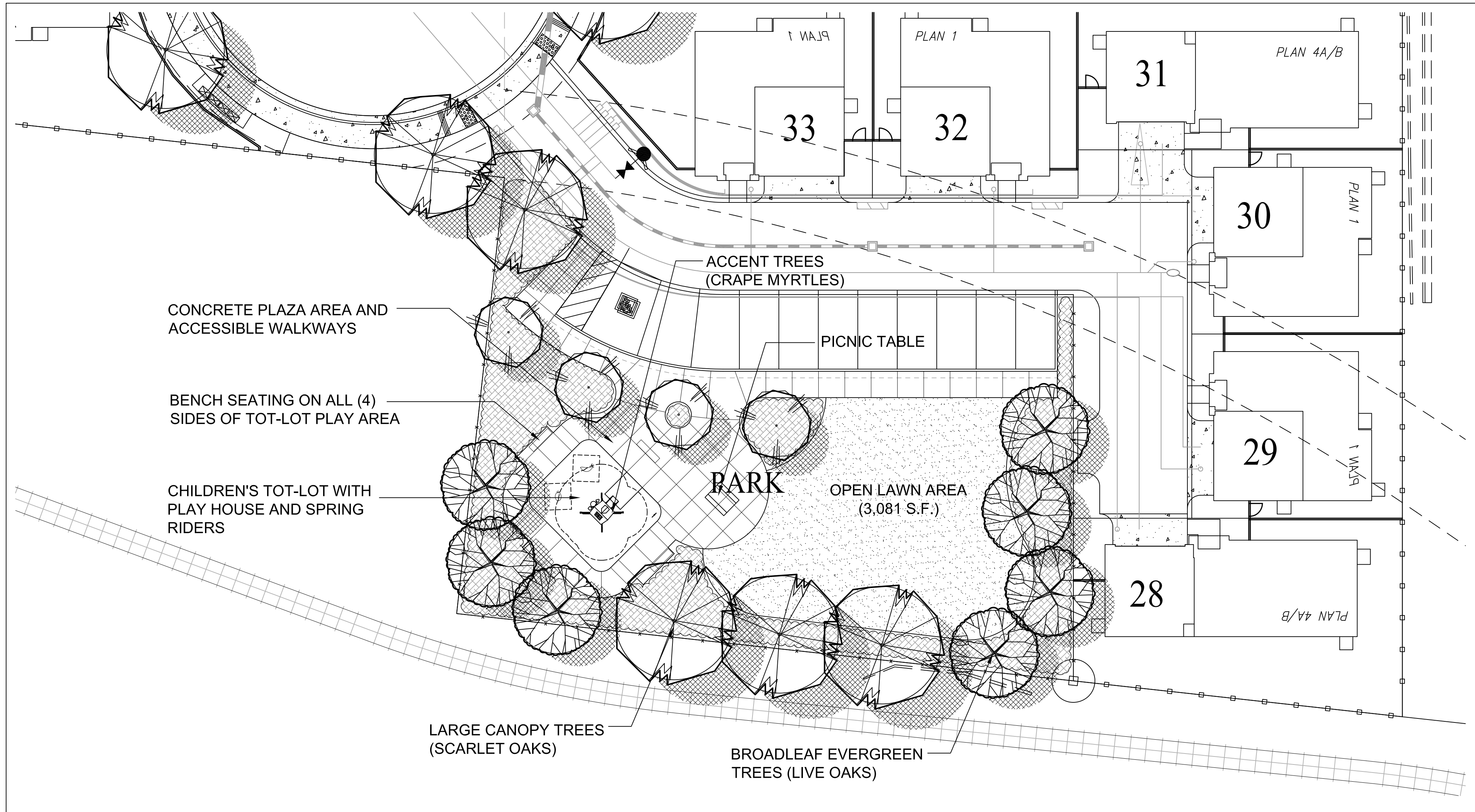
Thomas Baak & Associates, LLP
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1620 North Main Street, Suite 4
Walnut Creek, CA 94596
Ph: 925.933.2583

CENTRAL AVENUE
SUBDIVISION 9453
PITTSBURG, CALIFORNIA

PRELIMINARY
LANDSCAPE
PLAN

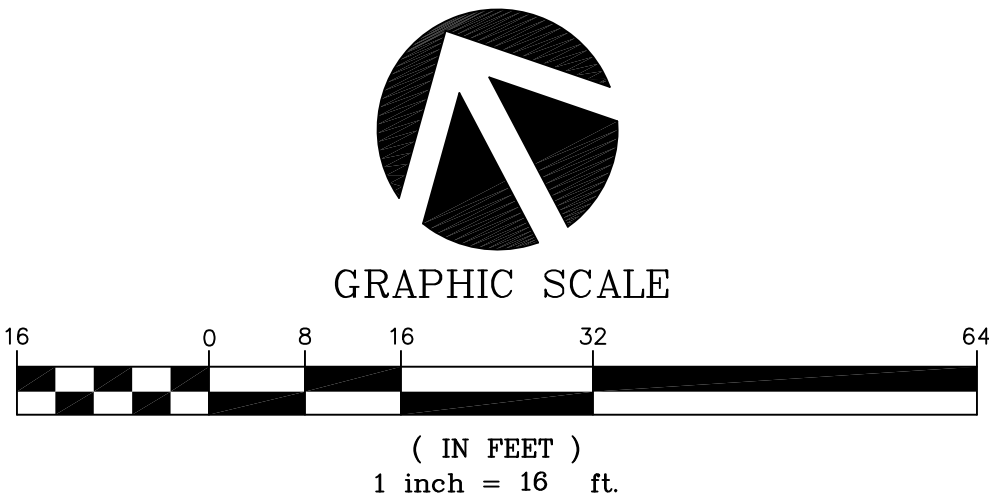
DESIGNED: RS	DRAWN: RS
CHECKED:	JOB NO:
DATE 06-12-17	
SCALE NOTED	

SHEET
L-2.1
OF SHEETS



HOA PARK PLAN

CENTRAL AVENUE, PITTSBURG



CHILDREN'S PLAY HOUSE
(LANDSCAPE STRUCTURES 'SMART PLAY NOOK')



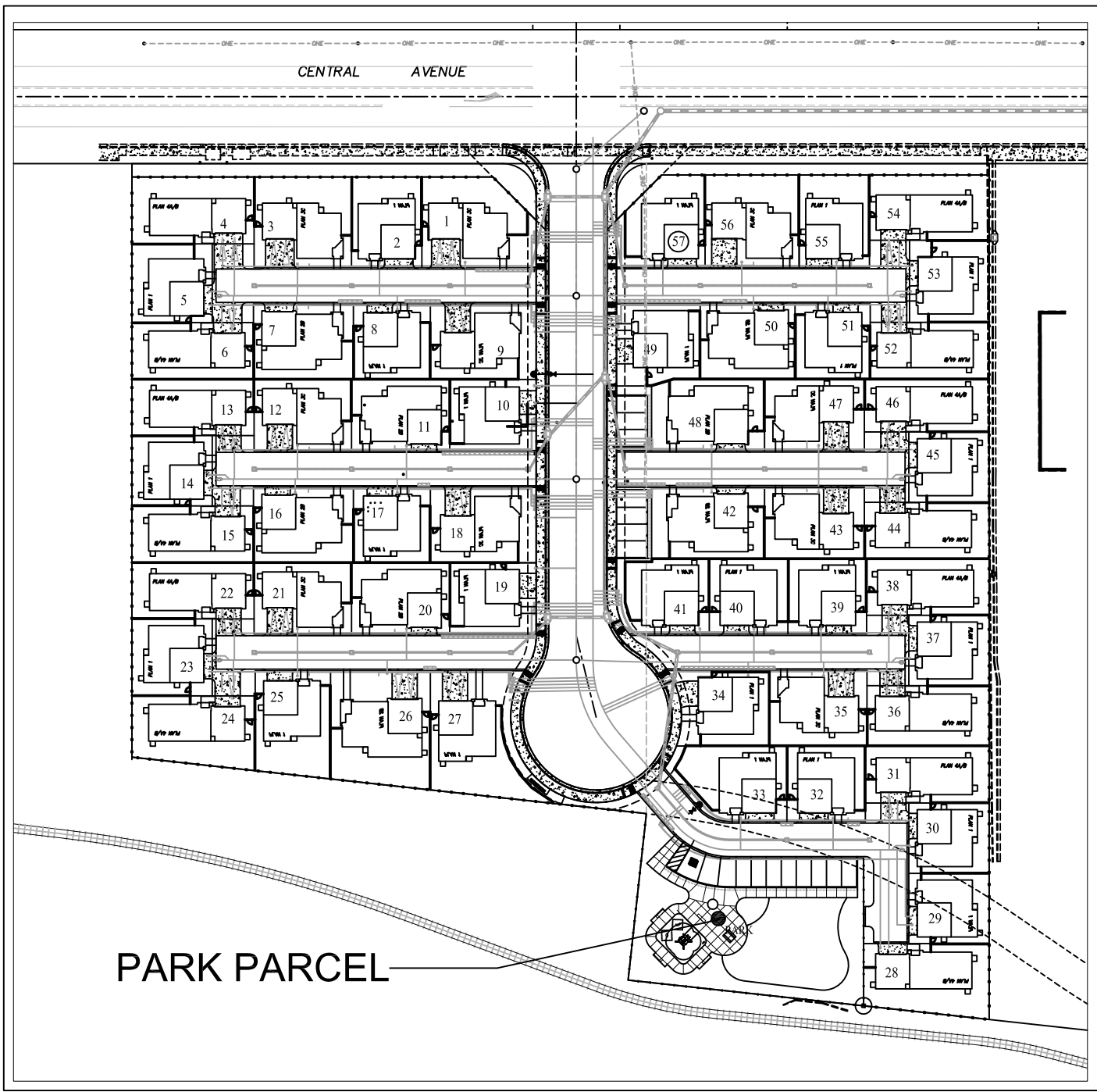
TOT SPRING RIDER
(PLAYWORLD SYSTEMS 'LADYBUG')



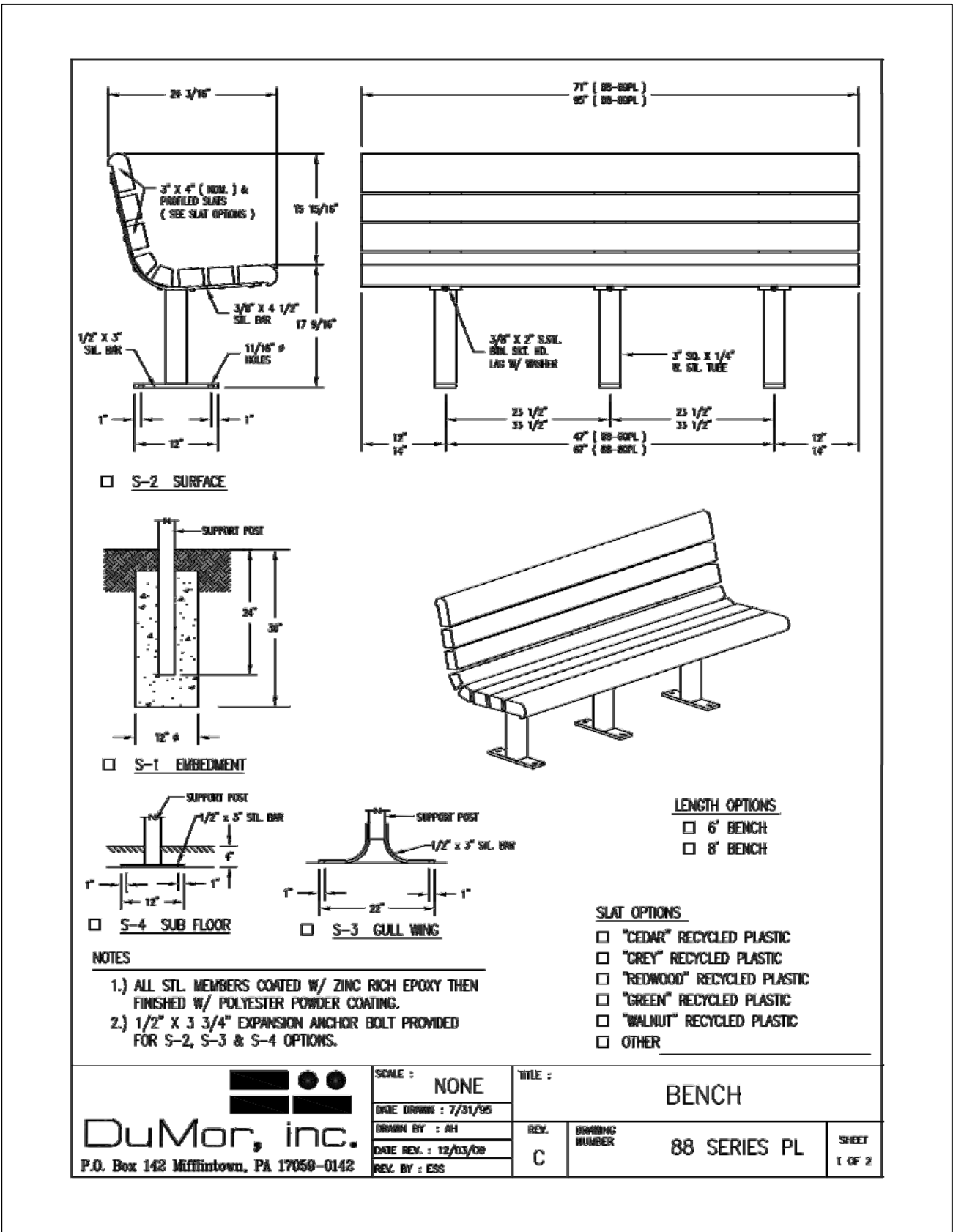
TOT SPRING RIDER
(PLAYWORLD SYSTEMS 'SHARK')



PICNIC TABLE
(PLAYWORLD SYSTEMS 6 FT. METAL TABLE)



PROJECT SITE PLAN

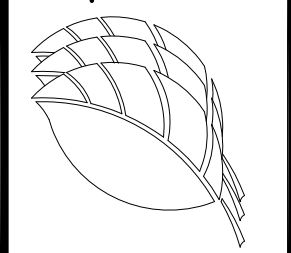


DECORATIVE BENCH AT PARK TOT LOT
(DUMOR INC, 6 FT. RECYCLE MATERIAL BENCH)

REFER TO SHEET L-2.1 FOR PLANT MATERIALS LIST

▲	
▲	
▲	
▲	
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Ph: 925.953.2583



CENTRAL AVENUE
SUBDIVISION 9453
PITTSBURG, CALIFORNIA

LANDSCAPE
NOTES & WATER
CALCULATIONS

DESIGNED: RS	DRAWN: RS
CHECKED:	JOB NO:
DATE 06-12-17	
SCALE NOTED	

PLANTING NOTES:

GENERAL NOTES: The Landscape Contractor shall inspect the site and be familiar with all existing site conditions prior to submitting his bid. Contractor shall not willfully proceed with construction as shown when it is obvious that obstructions, landscape area and/or grade differences exist that may not have been known during design. such conditions shall immediately be brought to the attention of the Landscape Architect. The contractor shall assume full responsibility for all necessary revisions due to failure to give such notification. Contractor shall be responsible for making himself familiar with all underground utilities, pipes, structures and obstructions. Contractor shall take sole responsibility for all costs incurred due to damage and/or replacement of these items. Contractor shall be responsible for coordination between trades and subcontractors as required to accomplish landscape operations. The Landscape Contractor shall be responsible for any damage to existing facilities caused by or during the performance of his work. All repairs shall be made at no cost to the Owner. Planting shall be installed in conformance with all applicable local codes and ordinances by experienced workmen and a licensed Landscape Contractor who shall obtain all necessary permits and pay all required fees.

SOIL PREPARATION: The Landscape Contractor shall be responsible for finish grading and all planting area drainage. Positive drainage away from the building as per city codes shall be maintained. No low spots which hold standing water will be accepted. The Landscape Contractor shall incorporate soil preparation amendment into planting areas as noted below. Where rototilling is not possible, incorporate soil amendments into top 6 inches with hand tools. After installation of irrigation system, all planting areas are to be fine graded to within 2 inches and slightly mounded away from edges of top of planter, curb, walk, header, etc. and raked smooth with all rocks and debris over 1 inch in diameter removed.

SOIL PREPARATION AMENDMENTS AND BACKFILL MIX: The Landscape Contractor shall amend existing soil, by rototilling, 6 cu. yd. BFI 'Super Humus' compost and 15 lbs. organic balanced fertilizer 'Phyta-Boost' (7-1-2) per 1,000 sq. ft. available from California Organics or equal into the top 6 inches of soil in all planting areas. (or equal) Pit Planting Mix: for trees and shrubs mix 1/3 organic amendment, 2/3 amended topsoil as noted above.

TREE PLANTING: The trees are to be planted as per detail on plan. Trees shall typically be located a minimum of 4 feet from curbs, walks, headers, buildings, overheads, and other trees within the project. backfill shall be the 'Pit Planting Mix' as noted above. All trees shall receive organic fertilizer 'Phyta boost' 7-1-2 avail. from California Fertilizer Company Inc.(or equal) for 15 gallon trees: 1 cup, for 5 gallon trees and shrubs: 1/2 cup. Thoroughly water trees immediately after planting.

ROOT BARRIERS: All trees planted within 5' of a paved surface shall receive a linear type root barrier 18" deep and 10' long along adjacent paving edges, centered on the tree trunk. (See detail)

SHRUB PLANTING: The shrubs shall be spotted as per plan and the locations approved prior to the digging of the holes. Shrub backfill shall be the 'Pit Planting Mix' as noted in 'Backfill soil mixes'. All shrubs shall receive 'Phyta-Boost' 7-1-2 organic fertilizer avail from California Fertilizer Company Inc.(or equal) at the following rates: For 5 gallon shrubs:1/2 cup for, 1 gallon shrubs:1/4 cup. Thoroughly water shrubs immediately after planting. Do not plant any plant within 2'0" of any building wall.

MULCHING: Mulch all planting areas, excluding lawn and storm water bioswale areas, having a slope less than 2:1 with a 3 inch minimum depth of recycled wood fiber, UV stabilized,dyed-colorfast black with a PH of no higher than 5.0. and free of noxious weeds and foreign materials. #135 Black Chip from 'Re-User Inc.' or approved equal.

SOD LAWN: Sod shall be as specified on drawings and installed as per suppliers specifications. Remove from all turf areas, stones (1" or larger), mortar, concrete, asphalt, rubbish, debris and any materials harmful to plant life. Remove noxious weed growth and roots. Thoroughly mix and pulverize the following proportions of materials (lightly compacted measurements) to a minimum depth of 6-8 inches while in a moist, friable condition: 6 cu yards of BFI 'super humus' compost per 1000 sq ft. of lawn area and 15 lbs per 1000 organic fertilizer 'Phyta-Green' Turf Fertilizer 8-2-2 available from California Organic fertilizer Inc. (or equal)

LAWN MAINTENANCE: Protect an maintain each area by watering, mowing, resodding or seeding as necessary for a minimum of 60 days after turf installation or to the end of the 90 day maintenance period (which ever is latest). Establish a thick, weed free uniform stand of grass. Mow grass at 1 1/2 inches in height when it attains a height of 2 inches. Apply 10 lbs per 1000 sq ft. of 'Phyta Green' Organic Lawn Fertilizer at end of maintenance period.

MAINTENANCE: The Contractor shall maintain the project for 90 days (or as requested by owner) following the approval to begin the maintenance period. During the entire maintenance period, watering, cultivating, weeding, mowing, repair/tightening of stakes and ties, restoration of basins, provision of supplemental water by hand in addition to irrigation system as necessary. No pre-emergence herbicides shall be applied- hand remove weeds. Only organic fertilizers shall be applied such as those specified above. Install per manufacturer's recommendations. At the end of the 90 day maintenance period all areas are to be weed free and all plant material is to be in a healthy, thriving condition. Integrated pest management practices shall be implemented.

SUBSTITUTIONS: Requests for substitutions of plant varieties shall be made to the Landscape Architect within 15 days after signing of contract.

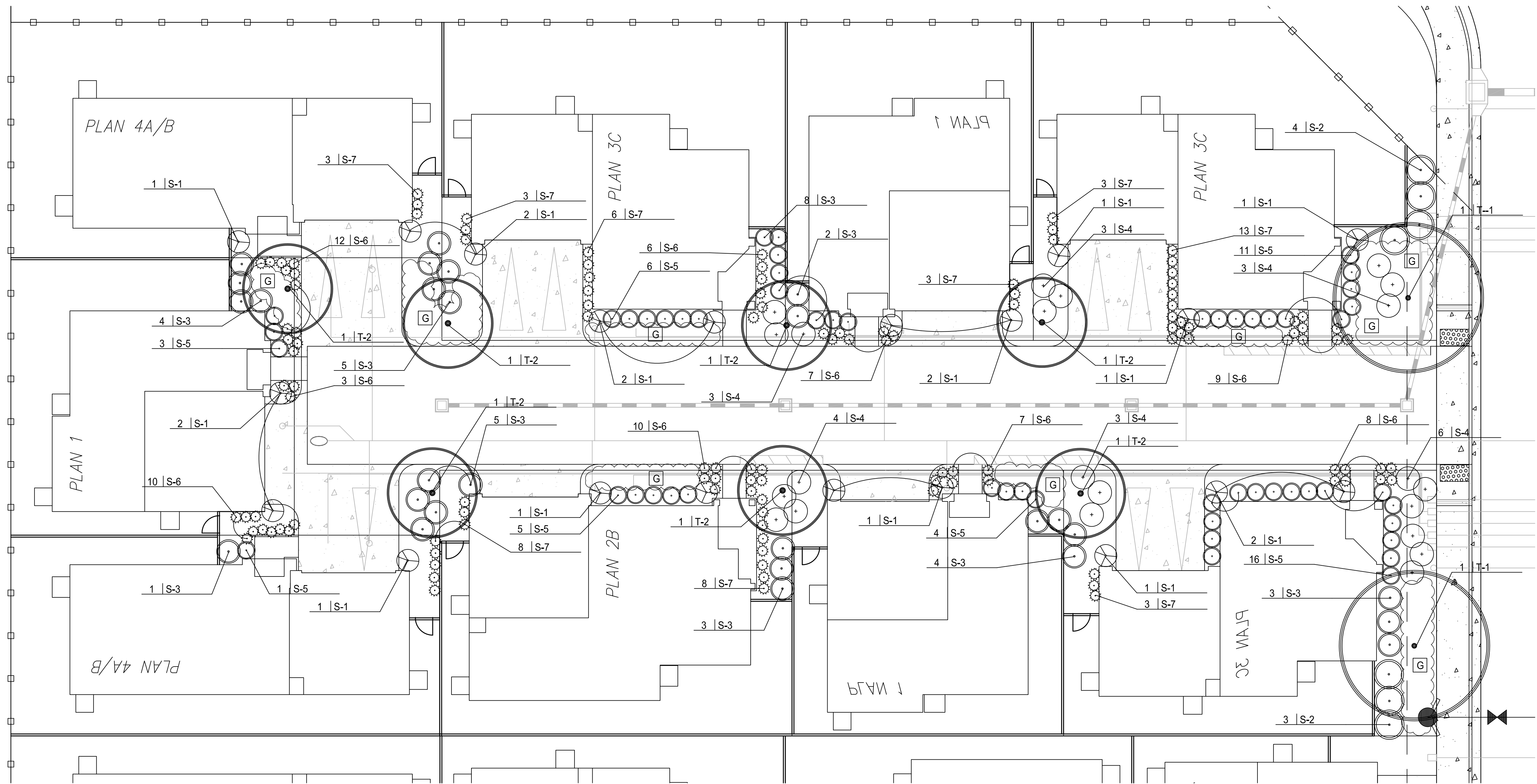
GUARANTEE: All construction, trees and shrubs by the Landscape Contractor and/or his subcontractors shall be guaranteed for (1) one year after beginning of maintenance period. The contractor shall replace, at no expense to the Owner, any and all landscape materials that are in an unacceptable condition for time of use, and trees or shrubs that are dead or not in a vigorous, healthy growing condition; within two weeks of notification of such condition. Replacement shall be of the same kind and size as the originally specified item and shall be replaced as originally described on the drawings. The Contractor shall not be held liable for loss of plant materials during the guarantee period due to vandalism, accidental causes or acts of neglect by others than the Contractor, his agents and employees.

CLEAN UP: At the end of each work day, at the inspection for substantial completion and before acceptance of project, clean paved areas that are dirtied or stained by construction operations, by sweeping or washing, and remove defacements and stains. Remove construction equipment, excess materials and tools. Haul from Owners property the debris resulting from construction, and dispose of legally. Remove remaining temporary protection at time of acceptance by Owner unless otherwise agreed.

FERTILIZERS: Available California Fertilizers Company Inc. 1-800-269-5690 www.organicag.com
www.californiaorganicfertilizers.com. Compost available from BFI 408-888-7632 www.bfi.com

EXISTING TREES TO REMAIN: Provide temporary fencing, barricades or guards as necessary to protect existing trees or other plants which are to remain, from above grade damage. Protect root systems from smothering. Do not store construction materials, debris or excavated material within drip line (outer perimeter of tree branches). Restrict vehicular and foot traffic within drip line to prevent excessive compaction of soil over root systems. Arborist's report, when present, takes precedent over these notes.

WATER EFFICIENT LANDSCAPE WORKSHEET							
REFERENCE EVAPOTRANSPIRATION (ETo):		45.4					
HYDROZONE / PLANTING DESCRIPTION	PLANT FACTOR (PF)	IRRIGATION METHOD	IRRIGATION EFFICIENCY (IE)	ETAF (PF / IE)	LANDSCAPE AREA (sq. ft.)	ETAF x AREA	ESTIMATED TOTAL WATER USE (ETWU)
REGULAR LANDSCAPE AREAS:							
LOW WATER USE	0.3	DRIP	0.81	0.3703703	4,704	1742.221891	49040.1
MEDIUM WATER USE	0.5	DRIP	0.81	0.6172839	1,012	624.6913068	17583.8
MEDIUM WATER USE	0.5	BUBBLER	0.81	0.6172839	108	66.6666612	1876.5
TOTALS:					5824	2434	
SPECIAL LANDSCAPE AREAS:							
REC. AREA				0	0	0	0
WATER FEATURE 1				0	0	0	0
WATER FEATURE 2				0	0	0	0
TOTALS:					0	0	
						ETWU TOTAL:	68,500
MAXIMUM ALLOWED WATER ALLOWANCE (MAWA):						73,770	
ETAF CALCULATIONS:							
REGULAR LANDSCAPE AREAS:							
TOTAL ETAF x AREA		2,434		NOTE: AVERAGE ETAF FOR REGULAR LANDSCAPE AREAS MUST BE 0.55 OR BELOW FOR RESIDENTIAL AREAS, AND 0.45 OR BELOW FOR NON-RESIDENTIAL AREAS.			
TOTAL LANDSCAPE AREA		5,824					
AVERAGE ETAF		0.42					
ALL LANDSCAPE AREAS:							
TOTAL ETAF x AREA		2,434					
TOTAL LANDSCAPE AREA		5,824					
SITEWIDE ETAF		0.42					



**SUGGESTED PLANT MATERIALS LIST:
FRONT YARD LANDSCAPE**

SYMBOL	BOTANICAL NAME	COMMON NAME	WUCOLS WATER NEEDS
T-1	STREET TREE: REFER TO STREET TREE & FENCING PLAN		
T-2	ACCENT TREE: TO BE 15 GAL. SIZE CERCIS OCCIDENTALIS LAGERSTROEMIA 'TUSCARORA'	(WESTERN REDBUD) (CRAPE MYRTLE)	VERY LOW LOW
S-1	STANDARD SHRUB: TO BE 5 GAL. SIZE EURYOPS PECTINATUS LAVATERA ASSURGENTIFLORA RHAPHIOLEPIS 'MAJESTIC BEAUTY'	(YELLOW DAISY STANDARD) (TREE MALLOW STANDARD) (INDIA HAWTHORN STANDARD)	LOW LOW LOW
S-2	LARGE SHRUBS: TO BE 5 GAL. SIZE COTONEASTER LACTEUS ELAEAGNUS PUN. 'MACULATA' FEIJOA SELLOWIANA	(COTONEASTER) (GOLDEN SILVERBERRY) (PINEAPPLE GUAVA)	LOW LOW MEDIUM
S-3	MEDIUM SHRUBS: TO BE 5 GAL. SIZE CISTUS PURPUREUS NERIUM OLE. 'PETITE PINK' RHAPHIOLEPIS 'JACK EVANS'	(ORCHID ROCKROSE) (DWARF OLEANDER) (INDIA HAWTHORN)	LOW LOW LOW

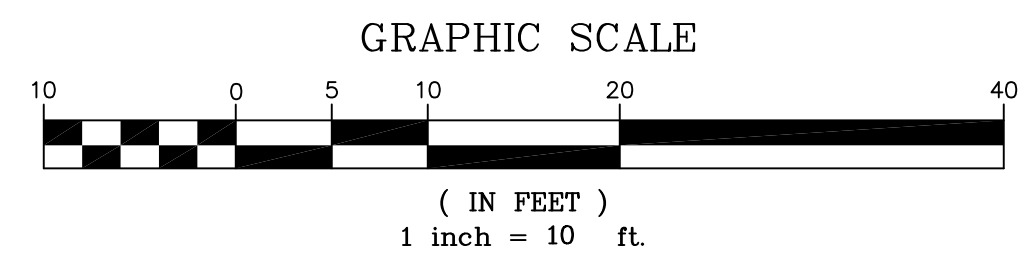
SYMBOL	BOTANICAL NAME	COMMON NAME	WUCOLS WATER NEEDS
S-4	SPREADING SHRUBS: TO BE 5 GAL. SIZE ABELIA 'BRONZE ANNIVERSARY' CISTUS 'SNOW FIRE' COLEONEMA PUL. 'SUNSET GOLD'	(GLOSSY ABELIA) (ROCKROSE) (BREATH OF HEAVEN)	MEDIUM LOW MEDIUM
S-5	HEDGING SHRUBS: TO BE 5 GAL. SIZE MYRTUS COMMUNIS 'COMPACTA' RHAPHIOLEPIS IND. 'CLARA' TEUCRIUM FRU. 'COMPACTUM'	(DWARF MYRTLE) (INDIAN HAWTHORN) (BUSH GERMANDER)	LOW LOW LOW
S-6	SMALL ACCENT SHRUBS: TO BE 1 GAL. SIZE AGAPANTHUS AFR. 'BLUE STORM' DIETES IRIDOIDES NANDINA 'FIREPOWER'	(LILY OF THE NILE) (FORTNIGHT LILY) (DWARF HEAVENLY BAMBOO)	MEDIUM LOW LOW
S-7	SECONDARY ACCENT SHRUBS: TO BE 1 GAL. SIZE FESTUCA IDA. 'SISKYOU BLUE' PHORMIUM 'JACK SPRATT' STIPA TENUISSIMA	(BLUE FESCUE) (DWARF NEW ZEALAND FLAX) (MEXICAN FEATHER GRASS)	VERY LOW LOW LOW
G	GROUNDCOVER: TO BE 1 GAL. SIZE AT 30" O.C. LANTANA MONTEVIDENSIS ROSMARINUS 'PROSTRATA'	(LANTANA) (PROSTRATE ROSEMARY)	LOW LOW

NOTES FOR PLANT MATERIAL SELECTION:

- ROTATE PLANT MATERIALS COURT TO COURT SO THAT THE PLANT PALETTE FOR ADJOINING COURTS IS DIFFERENT, ESPECIALLY AT THE FRONT ENTRIES.
- IF A PLANT MATERIAL GROUPING CROSSES THE PROPERTY LINE BETWEEN LOTS, USE ALL OF ONE SPECIES OF PLANT FOR THAT GROUPING.

ADDITIONAL NOTES:

- ALL PLANTING AREAS SHALL RECEIVE A 3" LAYER OF FIRBARK TOP DRESSING MULCH (NUGGET NOT SHREDDED).
- ALL FRONT YARD LANDSCAPE AREAS SHALL BE WATERED BY A WATER CONSERVING AUTOMATIC IRRIGATION SYSTEM AT EACH LOT.



REFER TO SHT. L-3.2 FOR PLANTING NOTES AND DETAILS

REVISIONS

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REGISTERED LANDSCAPE ARCHITECT
RICHARD STOVER
3017
Signature
STATE OF CALIFORNIA

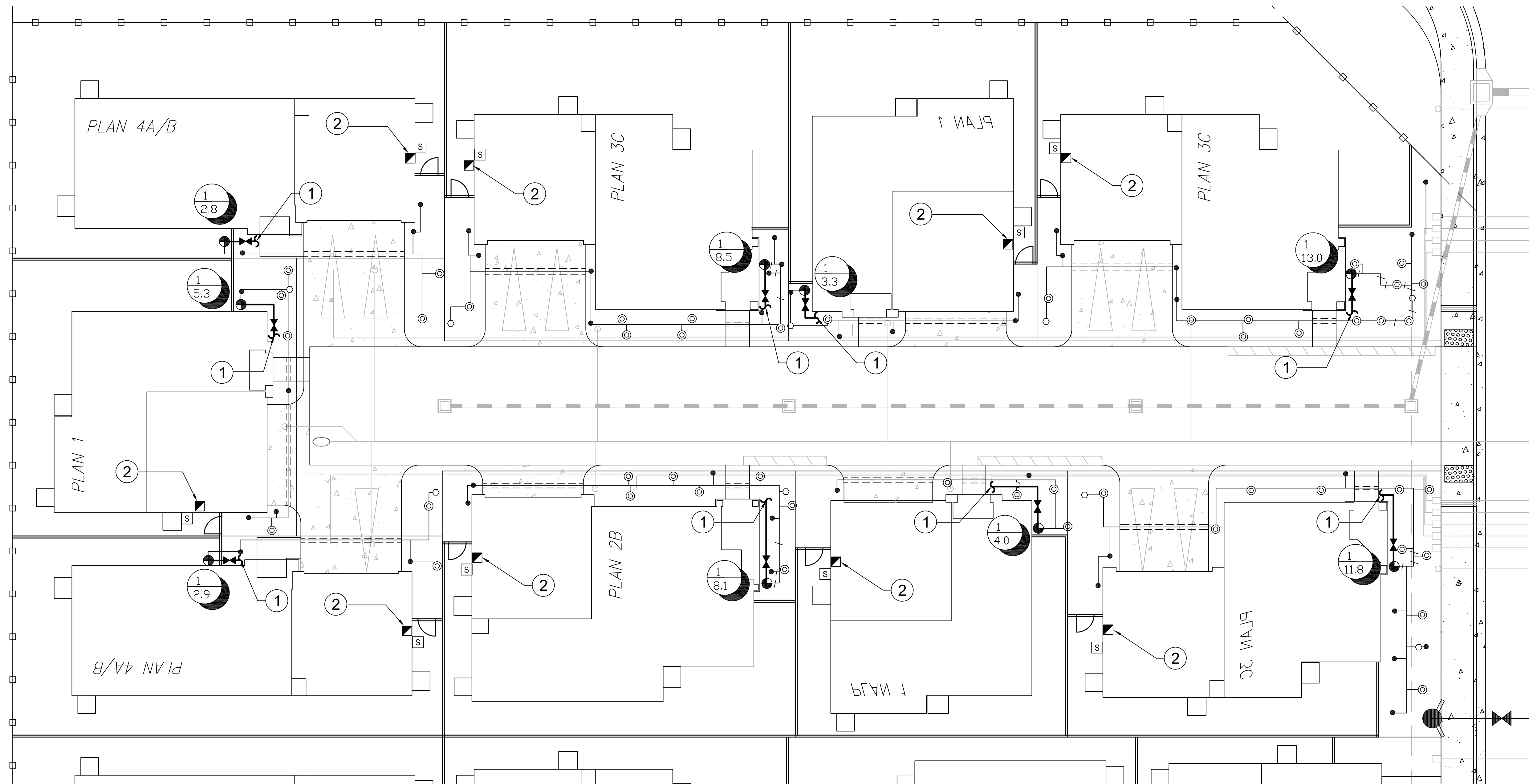
CENTRAL AVENUE
SUBDIVISION 9453
PITTSBURG, CALIFORNIA

TYPICAL
FRONT YARD
PLANTING PLANS

DESIGNED: RS
CHECKED: RS

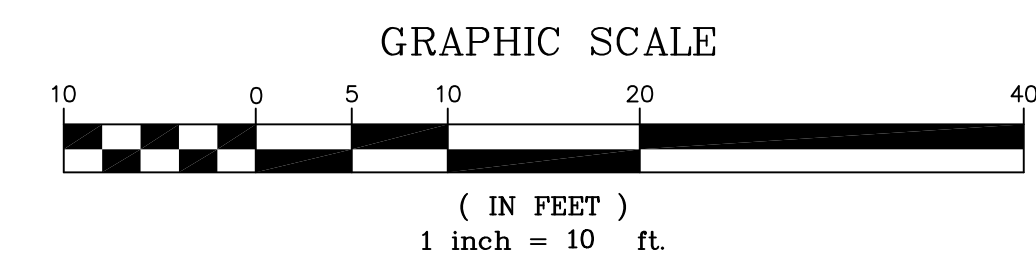
DRAWN: RS
JOB NO:
DATE
06-12-17
SCALE
NOTED

SHEET
L-3.1
OF SHEETS



GRAPHIC NOTE:

IRRIGATION PLAN IS A SCHEMATIC REPRESENTATION OF THE DESIGN. ALL IRRIGATION PIPES AND VALVES SHOWN IN PAVING AREAS SHALL BE INSTALLED IN ADJACENT PLANTERS ALONG BACK OF PAVING AS SITE CONSTRAINTS ALLOW. SLEEVE LOCATIONS ARE SHOWN RELATIVE TO RELATED SITE PAVING LOCATIONS.



REFER TO SHEET L-3.4 FOR TYPICALS
IRRIGATION LEGEND, NOTES AND DETAILS

REVISIONS	

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**CENTRAL AVENUE
SUBDIVISION 9453**
PITTSBURG, CALIFORNIA

**TYPICAL
FRONT YARD
IRRIGATION PLANS**

DESIGNED: RS	DRAWN: RS
CHECKED:	JOB NO:
DATE 11-28-16	
SCALE NOTED	

SHEET

L-3.3

OF SHEETS

IRRIGATION NOTES:

GENERAL NOTES: DO NOT WILLFULLY INSTALL THE IRRIGATION SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT OBSTRUCTIONS, GRADE DIFFERENCES OR DIFFERENCES IN AREA DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE DESIGN OF THE SYSTEM. SUCH OBSTRUCTIONS OR DIFFERENCES SHOULD BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. NOTIFY LANDSCAPE ARCHITECT OF ANY ASPECTS OF LAYOUT, WHICH WILL PROVIDE INCOMPLETE OR INSUFFICIENT WATER COVERAGE OF PLANT MATERIAL AND DO NOT PROCEED UNTIL THE INSTRUCTIONS ARE OBTAINED. IN THE EVENT THIS NOTIFICATION IS NOT PERFORMED, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY. IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO FAMILIARIZE HIMSELF WITH ALL THE GRADE DIFFERENCES, LOCATION OF WALKS, RETAINING WALLS, ETC. PRIOR TO CONSTRUCTIONS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROTECT IN PLACE (BY ALL MEANS NECESSARY) ALL EXISTING UTILITIES UNLESS OTHERWISE SPECIFIED ON THE PANS. CITY STANDARD DRAWINGS, SPECIFICATIONS, SPECIFIC NOTES & DETAIL DRAWINGS AND THE SOILS REPORT TAKE PRECEDENCE OVER GENERAL DRAWINGS AND PLANS UNLESS OTHERWISE DIRECTED. ANY DEVIATION FROM APPROVED PLANS DURING CONSTRUCTION WILL REQUIRE 48 HOURS PRIOR NOTICE TO THE LANDSCAPE ARCHITECT. AT LEAST ONE SET OF PLANS SHALL BE ON THE SITE AT ALL TIMES FOR INSPECTION. IRRIGATION CONTRACTOR SHALL COMPLY WITH ALL STATE, COUNTY AND CITY LAWS AND ORDINANCES, AND REGULATIONS OF THE DEPARTMENT OF INDUSTRIAL RELATIONS, O.S.H.A. AND INDUSTRIAL ACCIDENT COMMISSION RELATING TO THE SAFETY AND CHARACTER OF WORK, EQUIPMENT AND LABOR PERSONNEL. THE IRRIGATION CONSULTANT ASSUMES NO RESPONSIBILITY BEYOND THE ADEQUACY OF THE DESIGN CONTAINED HEREIN.

DRAWINGS: DUE TO THE SCALE OF DRAWINGS, IT IS NOT POSSIBLE TO INDICATE ALL OFFSETS, FITTINGS, SLEEVES, ETC., WHICH MAY BE REQUIRED. THE CONTRACTOR SHALL ALSO CAREFULLY INVESTIGATE THE STRUCTURAL AND FINISHED CONDITIONS AFFECTING ALL OF HIS WORK, PLAN HIS WORK ACCORDINGLY AND FURNISH SUCH FITTINGS, ETC. AS MAY BE NECESSARY TO MEET SUCH CONDITIONS. DRAWINGS ARE GENERALLY DIAGRAMMATIC AND INDICATIVE OF THE WORK TO BE INSTALLED. THE WORK SHALL BE INSTALLED IN SUCH A MANNER AS TO AVOID CONFLICTS BETWEEN IRRIGATION SYSTEM, PLANTING AND ARCHITECTURAL FEATURES. ALL PIPING, VALVES, ETC. SHOWN WITHIN PAVED AREAS ARE FOR DESIGN CLARIFICATION ONLY AND SHALL BE INSTALLED IN PLANTING AREAS WHERE POSSIBLE.

CONTROLLER: IRRIGATION CONTRACTOR IS TO PROGRAM TIMING OF STATIONS ON CONTROLLER TO IRRIGATE IN THE MOST EFFICIENT, WATER CONSERVING MANNER POSSIBLE. IT IS THE RESPONSIBILITY OF THE LANDSCAPE MAINTENANCE CONTRACTOR AND/OR THE OWNER TO PROGRAM THE IRRIGATION CONTROLLERS TO PROVIDE THE MINIMUM AMOUNT OF WATER NEEDED TO SUSTAIN PROPER PLANT HEALTH. THIS INCLUDES MAKING ADJUSTMENTS TO THE PROGRAM FOR SEASONAL WEATHER CHANGES, PLANT MATERIAL NEEDS, WATER REQUIREMENTS, CHANGES IN ELEVATION, SUN, SHADE AND WIND EXPOSURES. CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ANY DAMAGE, EROSION, PUDDLING, ETC. DUE TO IMPROPER PROGRAMMING. ELECTRICAL CONTRACTOR TO SUPPLY 120-VOLT A.C. (2.5 AMP) SERVICE & DISCONNECT, JUNCTION BOX AND CONDUIT, AS NECESSARY, TO CONTROLLER LOCATION. IRRIGATION CONTRACTOR TO MAKE FINAL CONNECTION FROM ELECTRICAL STUB-OUT TO CONTROLLER. INSTALL NEW 9-VOLT DURACELL BATTERY(S) IN EACH CONTROLLER (IF REQUIRED) TO RETAIN PROGRAM IN MEMORY DURING TEMPORARY POWER FAILURES. CONTROLLER SHALL HAVE GROUND WIRE AS PER MANUFACTURER'S INSTRUCTIONS.

VALVES: BACKFLOW DEVICE, ISOLATION AND CONTROL VALVE LOCATIONS SHOWN ARE DIAGRAMMATIC. INSTALL IN GROUND COVER / SHRUB AREAS WHERE POSSIBLE (NOT IN LAWN AREA), AND AT THE EDGES OF THE PLANTING AREAS SO AS TO NOT INTERFERE WITH PLANT HOLE EXCAVATION. INSTALL VALVE BOXES 12 INCHES FROM AND PERPENDICULAR TO: WALKS, CURBS, LAWN, ETC. AND EACH BOX SHALL BE 12 INCHES APART. THE SHORT SIDE OF VALVE BOX SHALL BE PARALLEL TO WALK, CURB, LAWN EDGE, ETC. INSTALL (1) VALVE PER RECTANGULAR BOX INLINE WITH THE LENGTH OF THE BOX. LOCATE QUICK COUPLING VALVES AND/OR HOSE BIBS 2 INCHES FROM HARDSCAPE AREA.

WIRING: CONTROL WIRES SHALL BE U.L. APPROVED FOR DIRECT BURIAL IN GROUND, COPPER SIZE #14-1. COMMON GROUND WIRE SHALL HAVE WHITE INSULATION JACKET. CONTROL WIRE SHALL HAVE INSULATION JACKET OF COLOR OTHER THAN WHITE. SPLICING SHALL BE DONE WITH 3M #3570 SCOTCHLOK SEAL PACKS. SPLICING OF 24-VOLT WIRES WILL NOT BE PERMITTED EXCEPT IN VALVE BOXES. LEAVE A 24 INCH COIL OF EXCEL WIRE AT EACH SPLICE AND AT 100 FEET ON CENTER ALONG WIRE RUN. TAPE WIRE IN BUNDLES AT 10 FEET ON CENTER. NO TAPING PERMITTED IN SLEEVES. INSTALL A CONTROL WIRE FOR EACH EXTRA STATION LEFT ON THE CONTROLLER AND A SPARE CONTROL WIRE OF A DIFFERENT COLOR ALONG THE ENTIRE MAIN LINE. LOOP 24 INCHES OF EXCESS WIRE INTO EACH SINGLE VALVE BOX AND INTO ONE VALVE BOX IN EACH GROUP OF VALVES. INSTALL 'RAINBIRD' #LSP-1 LINE SURGE PROTECTOR EVERY 500 FT. OF 2-WIRE WIRE PATH.

MULTI-OUTLET DRIP SYSTEM: CONTRACTOR SHALL INSTALL DRIP HEADS IN PLASTIC CANS PER DETAIL. INSTALL POT PLUGS IN ANY AND ALL UNUSED DRIP EMITTER PORTS; DISTRIBUTION TUBING SHALL NOT EXTEND BEYOND MANUFACTURER'S RECOMMENDATIONS (6 FT. MAX.). SECURE DISTRIBUTION TUBING TO GRADE WITH TUBING METAL STAPLES AT A MAXIMUM SPACING OF 24 INCHES. PROVIDE PLASTIC STAKE SUPPORTS AT DISTRIBUTION TUBING TERMINUS TO ANCHOR AND SECURE EMITTERS OVER ROOTBALL; EVENLY SPACE MULTIPLE EMITTER INSTALLATIONS AROUND PLANT ROOTBALL. INSTALL 'BUG PLUGS' IN EVERY DISTRIBUTION TUBING TERMINUS.

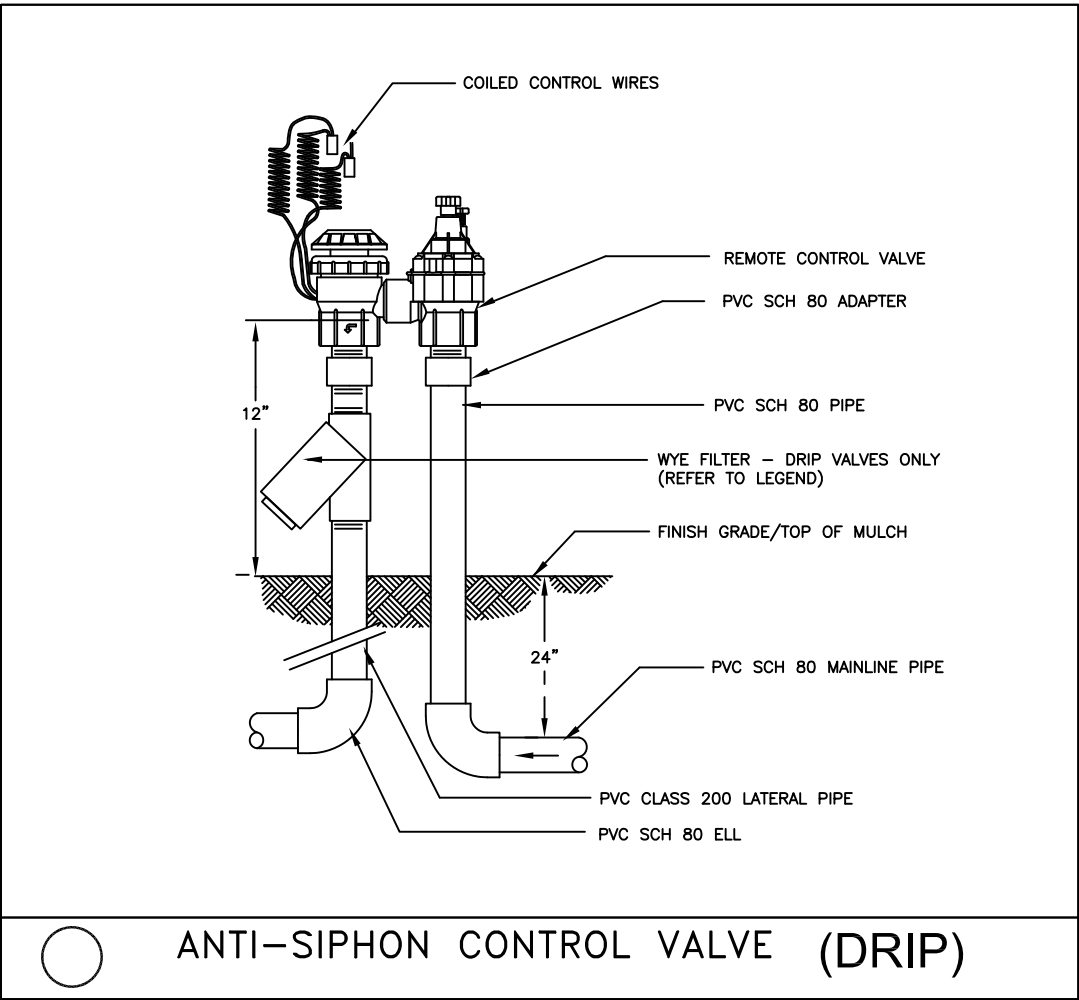
PIPING/TRENCHING: INSTALL MAIN LINE PIPING WITH CONCRETE THRUST BLOCKS AS PER MANUFACTURER'S RECOMMENDATION. MAIN AND LATERAL LINES SHALL BE SURROUNDED WITH A MINIMUM OF 2" OF SAND OR ROCK FREE SOIL. PIPE SEALANT COMPOUND SHALL BE RECTOR SEAL T+2, PERMATEX 51 OR LASCO #905305. PRESSURE THE MAIN LINE @ 150 PSI FOR 2 HOURS AND THE LATERAL LINES @ 100 PSI FOR 2 HOURS, WHERE IT IS NECESSARY TO EXCAVATE ADJACENT TO EXISTING TREES, THE CONTRACTOR SHALL USE ALL POSSIBLE CARE TO AVOID INJURY TO TREES, AND TREE ROOT SYSTEMS. EXCAVATION IN AREA WHERE TWO (2) INCH AND LARGER ROOTS EXIST SHALL BE DONE BY HAND. CUT ROOTS ONE (1) INCH AND LARGER IN DIAMETER SHALL BE PAINTED WITH TWO COATS OF TREE SEAL, OR EQUAL. TRENCHES ADJACENT TO TREES SHOULD BE CLOSED WITHIN TWENTY-FOUR (24) HOURS; AND WHERE THIS IS NOT POSSIBLE, THE SIDE OF THE TRENCH ADJACENT TO THE TREE SHALL BE KEPT SHADED WITH WET BURLAP OR CANVAS.

SLEEVES: THE IRRIGATION CONTRACTOR SHALL COORDINATE WITH THE GENERAL CONTRACTOR AND OTHER SUBCONTRACTORS FOR THE LOCATION AND THE INSTALLATION OF SLEEVES, CONDUIT OR PIPE THROUGH WALLS, UNDER ROADWAYS, PAVING, STRUCTURES, ETC. PRIOR TO CONSTRUCTION. IN ADDITION TO THE SLEEVES AND CONDUITS SHOWN ON THE DRAWINGS, THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR THE COORDINATION AND/OR INSTALLATION OF SLEEVES AND CONDUITS OF SUFFICIENT SIZE UNDER ALL PAVED AREAS.

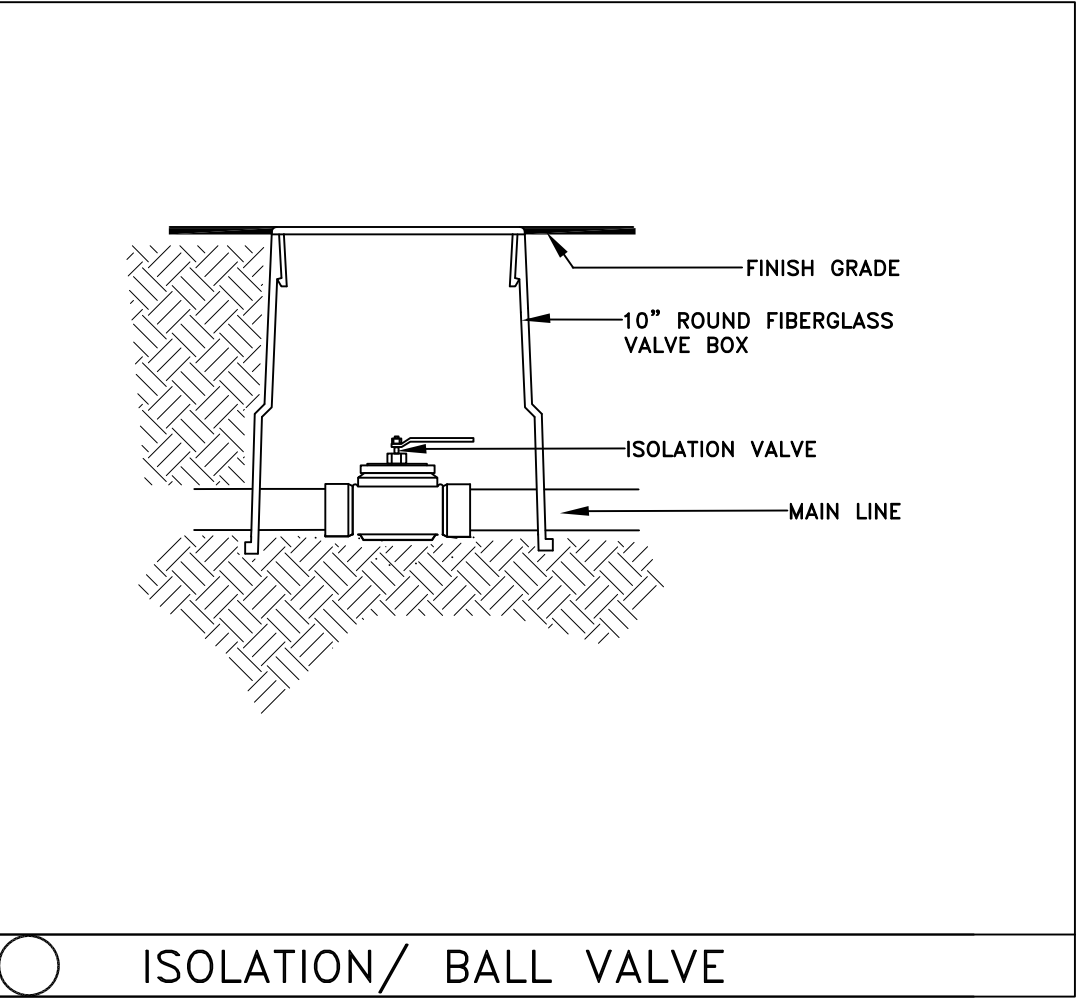
IRRIGATION SYSTEM: THE IRRIGATION SYSTEM IN CURRENTLY POTABLE, SET UP FOR POSSIBLE RETROFIT TO RECYCLED WATER SOURCE IN FUTURE. DESIGN IS BASED ON A MINIMUM OPERATING PRESSURE (PSI) AND A FLOW DEMAND (GPM) AS NOTED ON PLAN. THE IRRIGATION CONTRACTOR SHALL VERIFY WATER PRESSURE PRIOR TO CONSTRUCTION, REPORT ANY DIFFERENCE BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT-OF CONNECTION TO THE LANDSCAPE ARCHITECT. FAILURE TO DO SO WILL RESULT IN THE CONTRACTOR BEING RESPONSIBLE FOR ANY NECESSARY CHANGES DUE TO THIS DIFFERENCE.

GUARANTEE: ALL CONSTRUCTION, PARTS AND PRODUCTS BY THE LANDSCAPE CONTRACTOR AND/OR HIS SUBCONTRACTORS SHALL BE GUARANTEED FOR ONE (1) FULL YEAR AFTER THE BEGINNING OF THE MAINTENANCE PERIOD. THE CONTRACTOR SHALL REPLACE (AT NO EXPENSE TO THE OWNER) ANY AND ALL IRRIGATION PRODUCTS THAT ARE IN AN UNACCEPTABLE CONDITION FOR THE TIME OF USE. REPLACEMENT OF ANY ITEMS SHALL MATCH ORIGINAL DESCRIPTION OF ITEM(S) ON CONSTRUCTION PLANS AND SHALL BE INSTALLED PER SPECIFICATION. THE CONTRACTOR SHALL NOT BE HELD LIABLE FOR LOSS OF IRRIGATION PARTS OR PRODUCTS DUE TO VANDALISM, ACCIDENTAL CAUSES, OR ACTS OF NEGLIGENCE BY OTHERS THAN THE CONTRACTOR, HIS AGENTS OR EMPLOYEES.

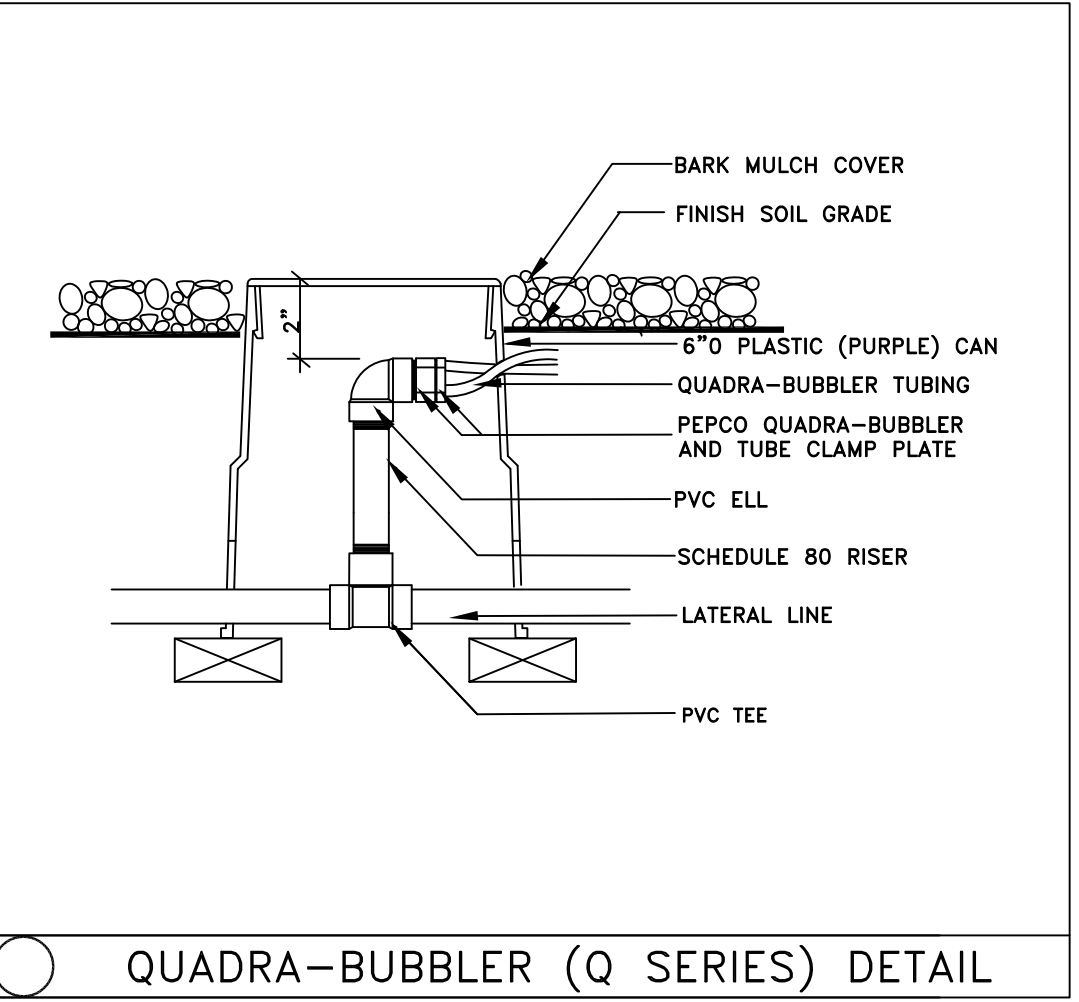
DO NOT BID, ORDER MATERIALS OR INSTALL ANY OR ALL OF SYSTEM BEFORE READING THE IRRIGATION NOTES IN THEIR ENTIRETY. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL CHANGES, REVISIONS AND OR ADDITIONS TO SYSTEM DUE TO FAILURE TO DO SO.



ANTI-SIPHON CONTROL VALVE (DRIP)



ISOLATION/ BALL VALVE



QUADRA-BUBBLER (Q SERIES) DETAIL

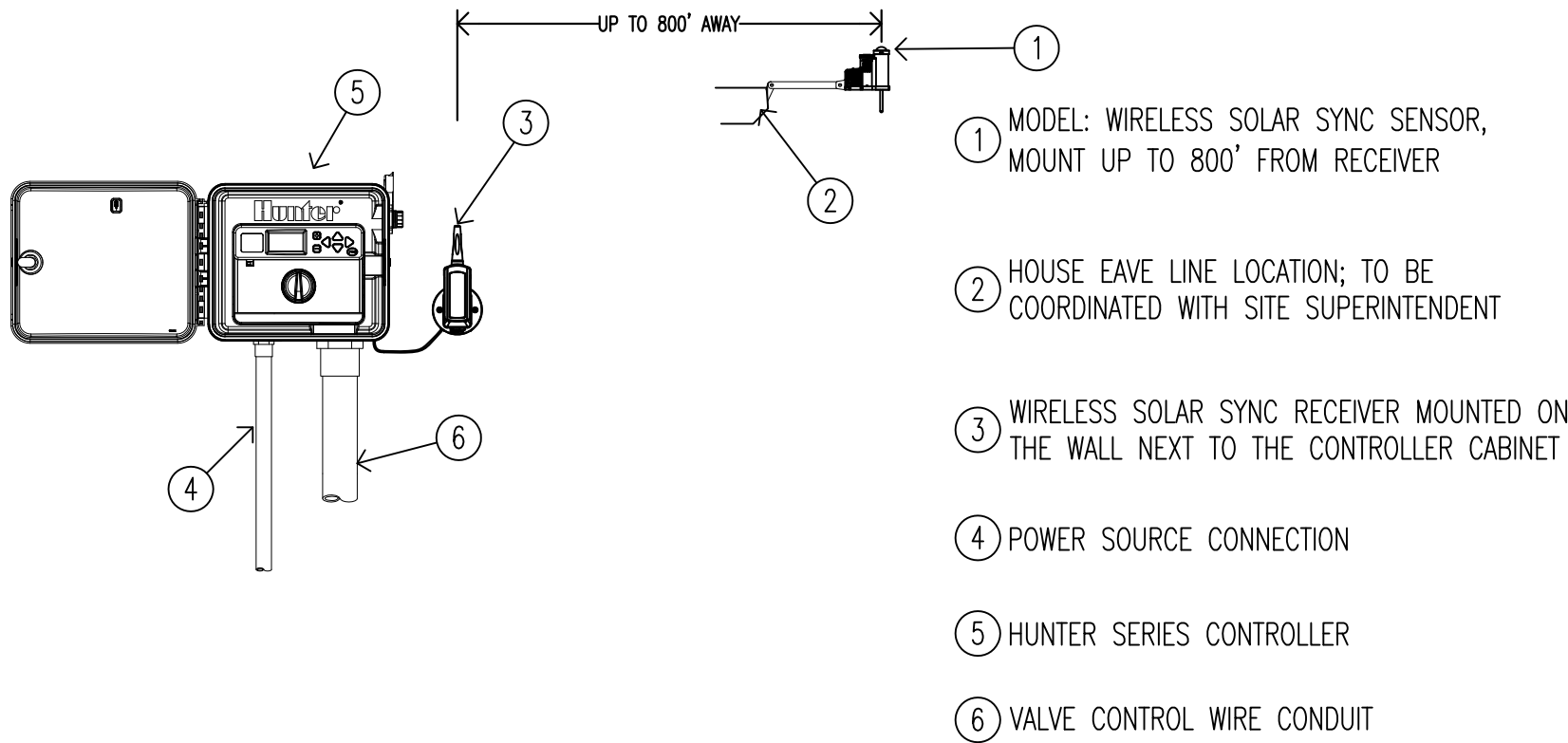
IRRIGATION LEGEND:

- 'HUNTER' #XC-4 4-STATION INTERIOR WALL-MOUNT CONTROLLER
- 'HUNTER' #WSS-SEN WIRELESS SOLAR SYNC WEATHER SENSOR
- 'KING BROS' SCH 80 PVC BALL VALVE; LINE SIZE IN 10" DIAMETER PLASTIC VALVE BOX
- 'RAINBIRD' #XACZ-100 1" ANTI-SIPHON CONTROL VALVE WITH 1" #PR RBY FILTER
- MAIN LINE: 1" CLASS 315 PVC PIPE WITH SCHEDULE 40 PVC SOLVENT-WELD FITTINGS; ALL CUTS TO BE SQUARE, PRIMER TO BE USED. PROVIDE 18" (MIN.) COVER
- LATERAL LINE: CLASS 200 PVC PIPE WITH SCHEDULE 40 PVC SOLVENT-3/4" WELD FITTINGS; SEE PLAN FOR LINE SIZE. ALL CUTS TO BE SQUARE, PRIMER TO BE USED. PROVIDE 12" (MIN.) COVER
- 1" 4" SCHEDULE 20 PVC PIPE SLEEVES UNDER PAVING; PROVIDE 24" (MIN.) OF COVER BELOW FINISH PAVING
- CONTROLLER STATION NUMBER GALLONS PER MINUTE
- 'PEPCO' #856 OCTABUBBLER (BLACK, 0.80 GPM HEAD) EMITTER SCHEDULE: (2) PER 5 GAL. PLANT, (1) PER 1 GAL. PLANT
- 'PEPCP' #5633 QUADRABUBBLER (BLACK, 0.40 GPM HEAD) EMITTER SCHEDULE: (2) PER 5 GAL. PLANT, (1) PER 1 GAL. PLANT
- 'PEPCO' #9633 QUADRABUBBLER (RED, 0.65 GPM HEAD) EMITTER SCHEDULE: (2) HEADS PER TREE

- TYPICAL POINT-OF-CONNECTION TO EXISTING WATER SUPPLY: PROVIDE CONNECTION TO EXISTING DOMESTIC WATER SERVICE WITH COMPRESSION 'TEE' WITHIN 10" DIAMETER PLASTIC VALVE BOX, AND ADAPT TO NEW 1" MAIN LINE. VERIFY A MINIMUM AVAILABLE STATIC WATER PRESSURE OF 55 PSI, AND A MINIMUM FLOW OF 13 GPM.
- TYPICAL INTERIOR WALL-MOUNT CONTROLLER LOCATION: PROVIDE 120 VOLT POWER CONNECTION TO CONTROLLER FROM SOURCE INSIDE GARAGE; VERIFY EXACT LOCATION WITH SITE SUPERINTENDENT. ALL ABOVE GRADE CONTROL WIRES SHALL BE CONTAINED WITHIN RIGID ELECTRICAL CONDUIT SECURELY FASTENED TO WALL INSIDE GARAGE.

GRAPHIC NOTE:

IRRIGATION PLAN IS A SCHEMATIC REPRESENTATION OF THE DESIGN. ALL IRRIGATION PIPES AND VALVES SHOWN IN PAVING AREAS SHALL BE INSTALLED IN ADJACENT PLANTERS ALONG BACK OF PAVING AS SITE CONSTRAINTS ALLOW. SLEEVE LOCATIONS ARE SHOWN RELATIVE TO RELATED SITE PAVING LOCATIONS.



WIRELESS SOLAR SYNC SYSTEM

IRRIGATION DETAIL

REVISIONS

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

CENTRAL AVENUE
SUBDIVISION 9453
PITTSBURG, CALIFORNIA

TYPICALS IRRIGATION
NOTES AND DETAILS

DESIGNED: RS
DRAWN: RS
CHECKED: JOB NO:
DATE
11-28-16
SCALE
NOTED

SHEET

L-3.4

OF SHEETS

APN: 086-131-022

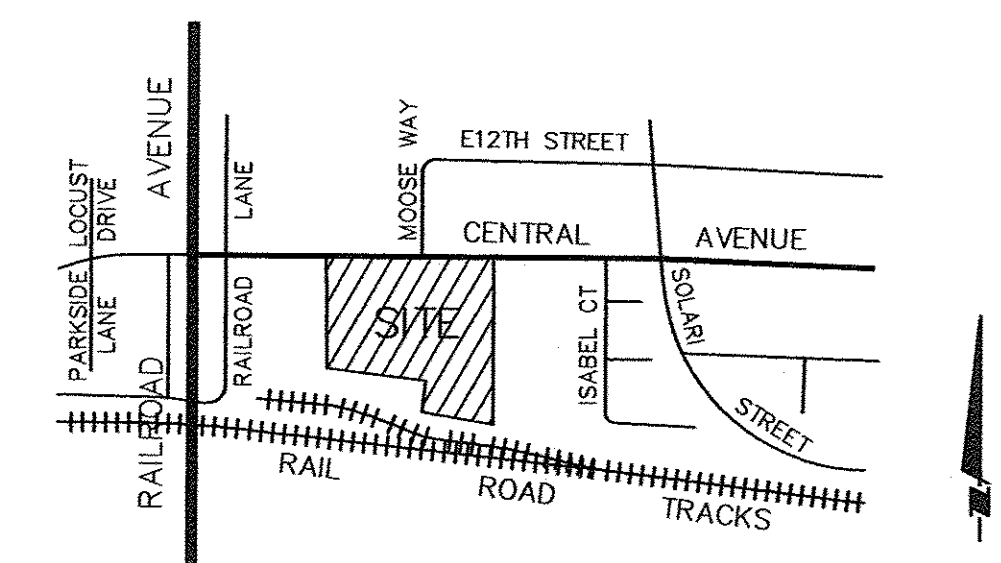
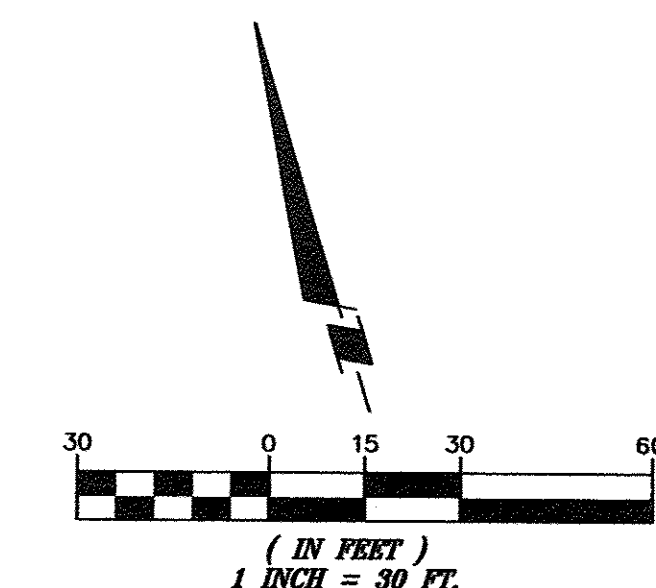
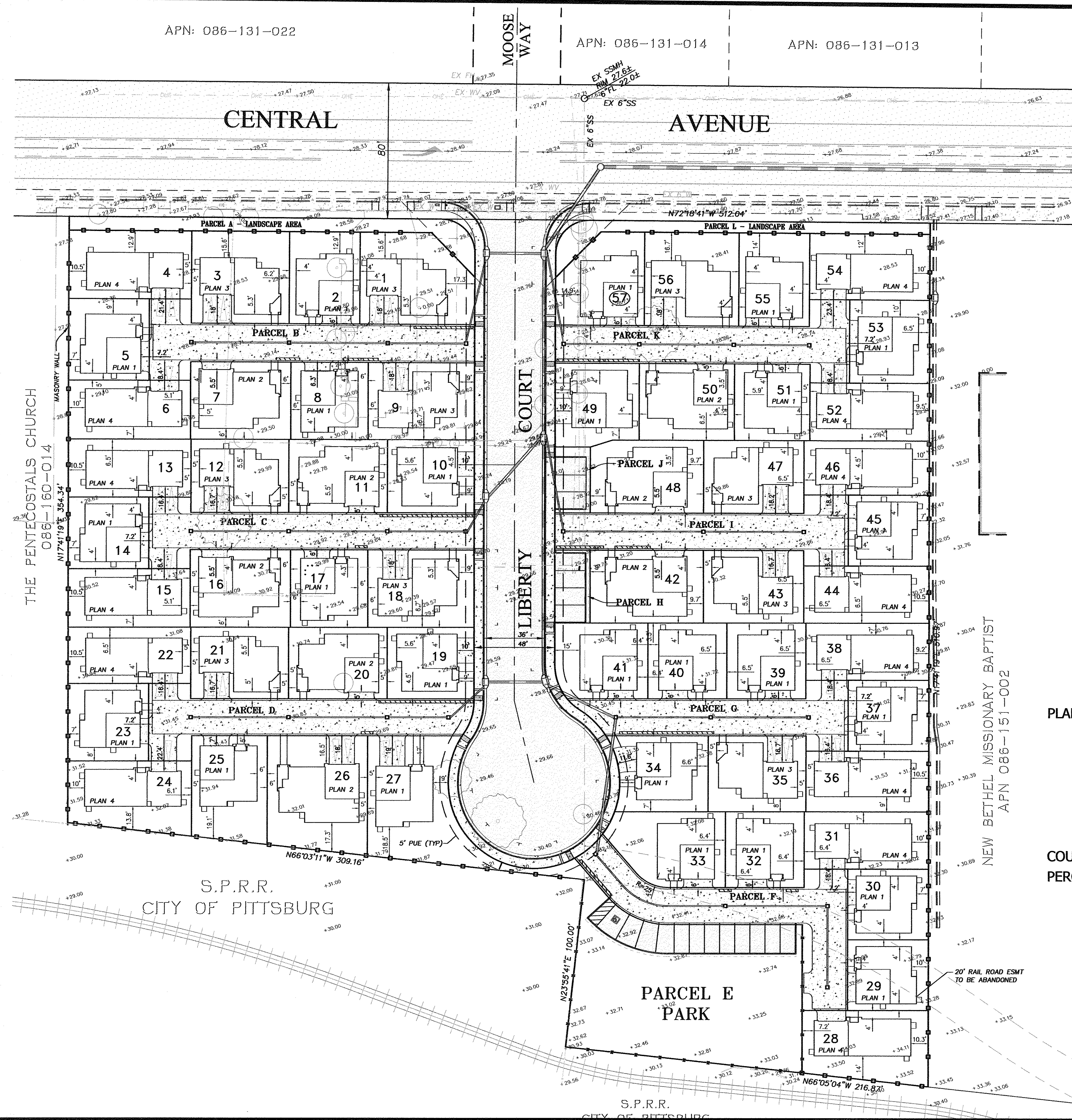
APN: 086-131-014

APN: 086-131-013

"LIBERTY"

MASTER PLOTTING PLAN

SUBDIVISION 9453
CITY OF PITTSBURG
MAY, 2017



VICINITY MAP
NOT TO SCALE

DISTRIBUTION TABLE

PLAN#	1 TWO STORY	2 TWO STORY	3 TWO STORY	4 TWO STORY	
COUNT	25	8	10	14	TOTAL HOMES: 57
PERCENT	43.9%	14.0%	17.5%	24.6%	TOTAL PERCENT: 100.0%

SUBDIVISION 9453		LIBERTY	
MASTER PLOTTING PLAN			
CITY OF PITTSBURG		CONTRA COSTA COUNTY	
Isakson & Assoc. Inc.			
civil land engineering surveying			
2255 Ygnacio Valley Road, Suite C, Walnut Creek, CA. 94598 Phone: (925) 937-9333			
DATE: 05-08-17	DESIGNED BY: DOI	DRAWN BY: STAFF	CHECKED BY: DOI
JOB NO. 201616		SHEET 1 OF 1	



LIBERTY

PITTSBURG, CA

DISCOVERY BUILDERS, INC.
4061 PORT CHICAGO HWY, SUITE H
CONCORD, CA 94520



Date 02/13/17 (Revised 05/11/17)



Monument Sign

LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 05/11/17



Elevation A



Elevation C

MATERIAL LEGEND

A. VILLA CONCRETE TILE ROOFING	B. FLAT CONCRETE TILE ROOFING	C. FLAT CONCRETE TILE ROOFING
GABLE ROOFS	GABLE ROOFS	GABLE ROOFS
STUCCO BODY	STUCCO BODY	STUCCO BODY
STUCCO TRIM	STUCCO TRIM	STUCCO TRIM
STUCCO/FOAM CORBEL	STUCCO/FOAM CORBEL	STUCCO/FOAM CORBEL
SIMULATED BRICK VENEER	BOARD AND BATTEN	MOCK WOOD SHUTTERS
ROLL-UP GARAGE DOORS	SIMULATED STONE VENEER	LAP SIDING
W/ OPT. WINDOW LITES	ROLL-UP GARAGE DOORS	ROLL-UP GARAGE DOORS
	W/ OPT. WINDOW LITES	W/ OPT. WINDOW LITES

GENERAL NOTES:

1. ALL EXPOSED PORTIONS OF BUILDING FOUNDATIONS SHALL BE PAINTED THE MAIN "BODY" COLOR.
2. ALL ROOF VENTS SHALL BE PAINTED THE SAME COLOR AS ROOFING MATERIAL TO WHICH THEY ARE ADJACENT. DOWNSPOUTS, SIDE VENTS, AND ATTACHED UTILITY BOXES SHALL BE PAINTED THE SAME COLOR OR COLORS AS THE SURFACE OR SURFACES TO WHICH THEY ARE ADJACENT.



Elevation B

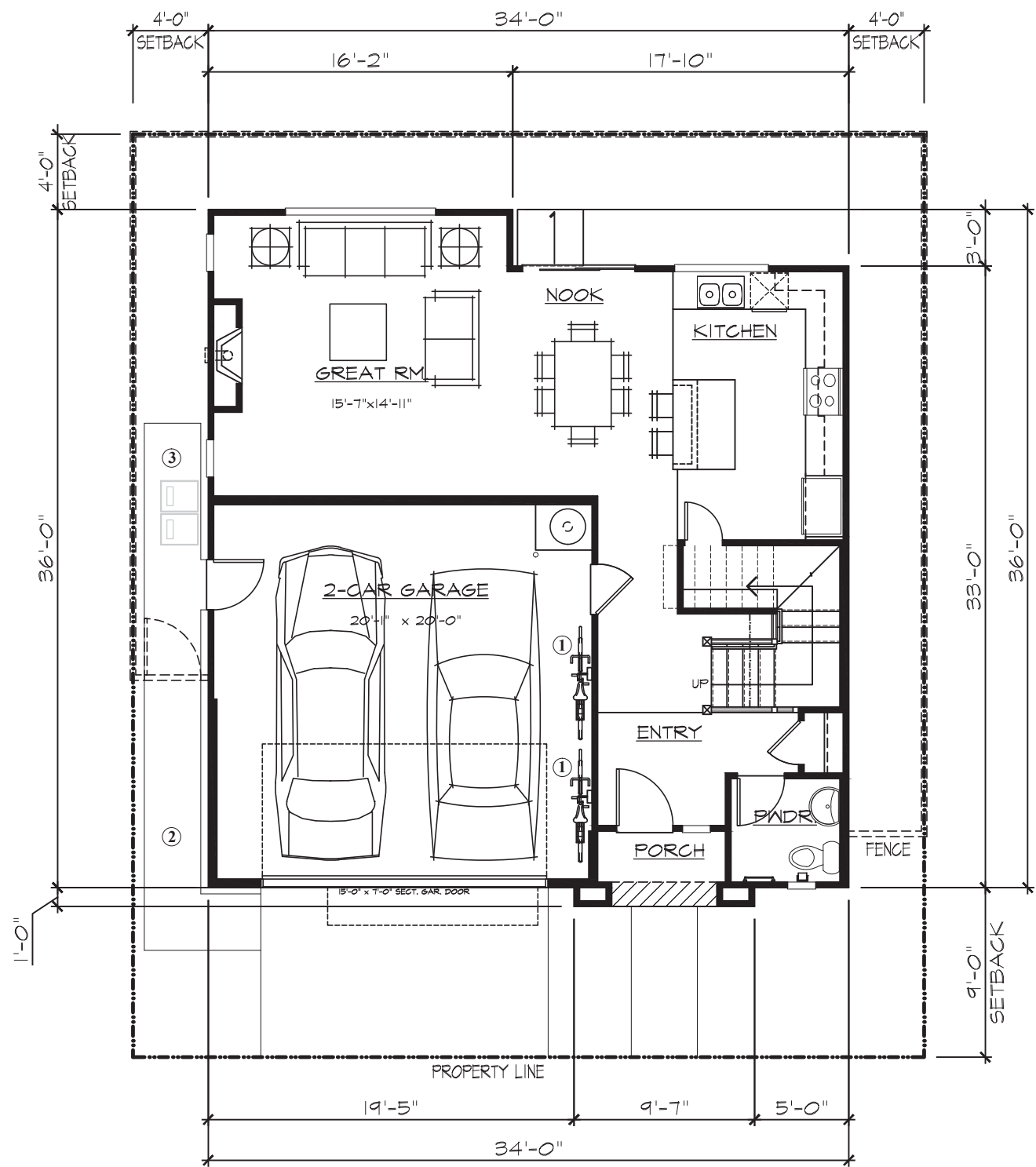
Plan 1 (1846)
Front Elevations



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Plan Notes:

- ① Wall-mounted bicycle storage
- ② Concrete pathway
- ③ Concrete trash pad (7' min.)

Plan 1 (1846)

4 BEDROOMS (OPT. LOFT)
2-1/2 BATHS

SQUARE FOOTAGE	
FIRST FLOOR	735 SF
SECOND FLOOR	1111 SF
TOTAL LIVING AREA	1846 SF
GARAGE	415 SF

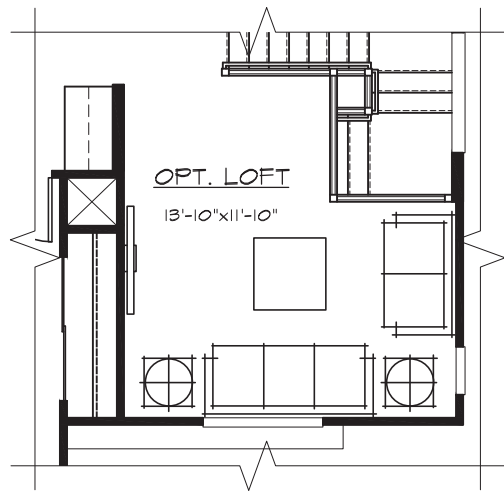
First Floor Plan



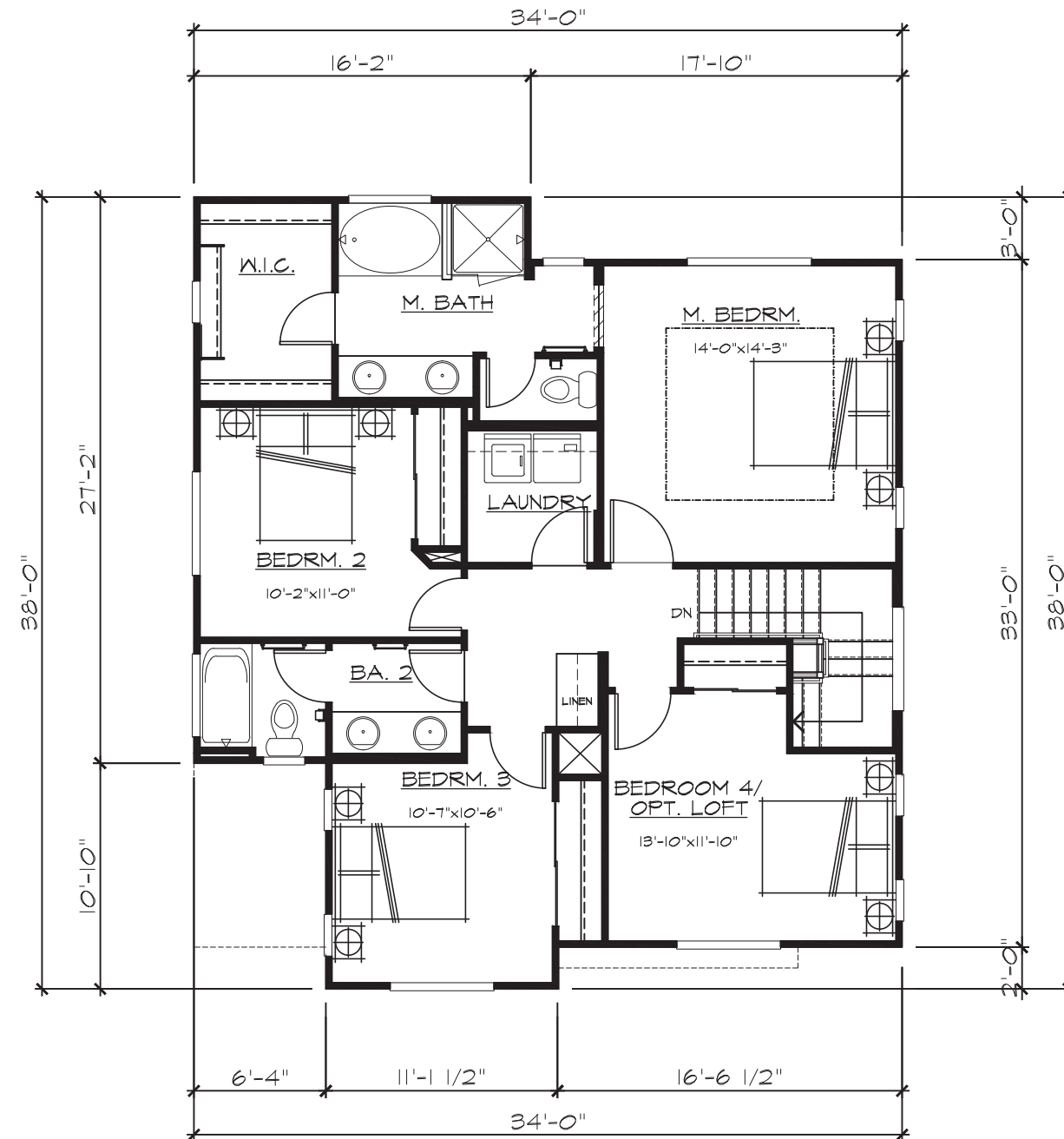
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Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Opt. Loft



Plan 1 (1846)

4 BEDROOMS (OPT. LOFT)
2-1/2 BATHS

SQUARE FOOTAGE	
FIRST FLOOR	735 SF
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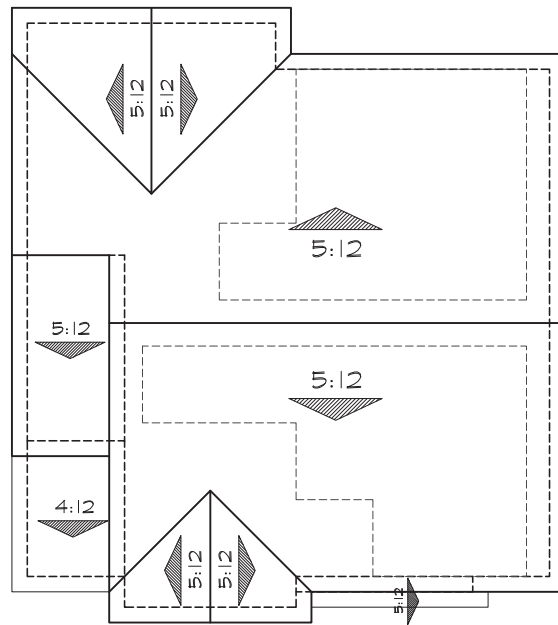
Second Floor Plan



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



SOLAR ZONE READY:
REFER TO SECTION 110.10 IN THE
2013 CALIFORNIA ENERGY CODE
FOR MANDATORY REQUIREMENTS
FOR SINGLE-FAMILY RESIDENCES
AND MINIMUM SOLAR ZONE.

DENOTES
SOLAR PANELS

PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'A'



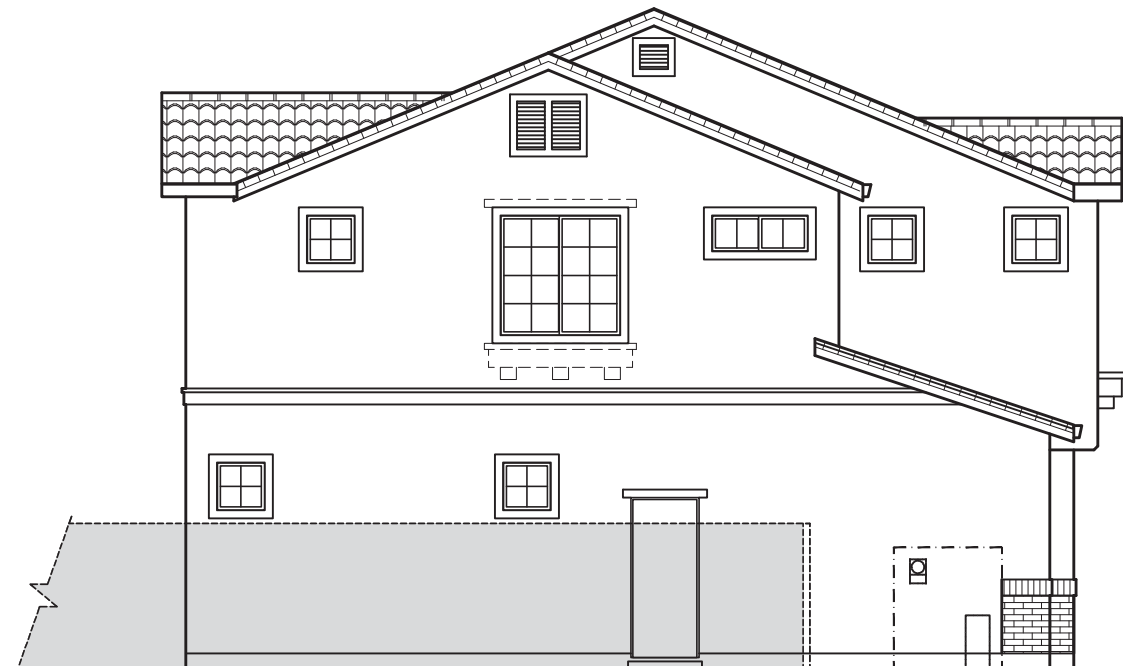
Rear

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

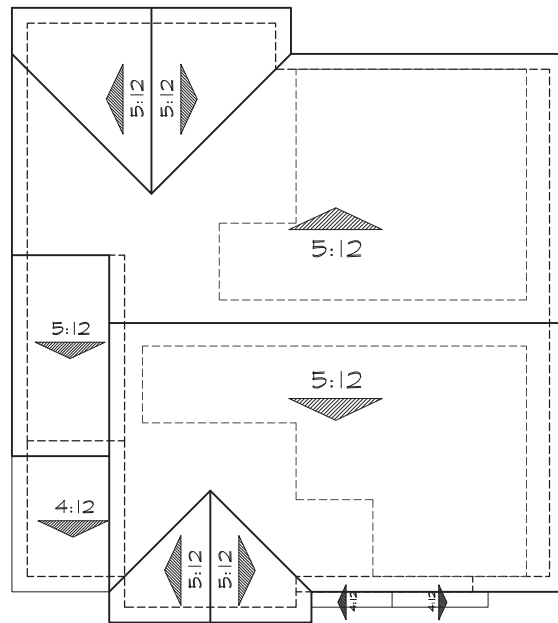
**Plan 1 (1846)
Elevations - 'A'**



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PITTSBURG, CA



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DENOTES
SOLAR PANELS

PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'B'



Rear

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

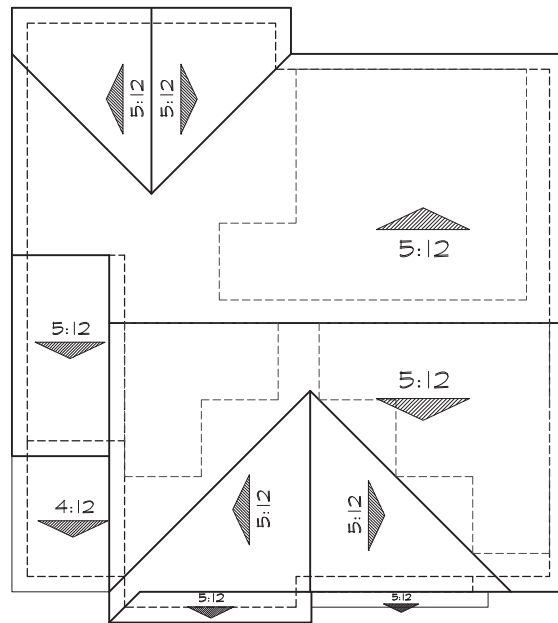
**Plan 1 (1846)
Elevations - 'B'**



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PITTSBURG, CA



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DENOTES
SOLAR PANELS

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SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'C'



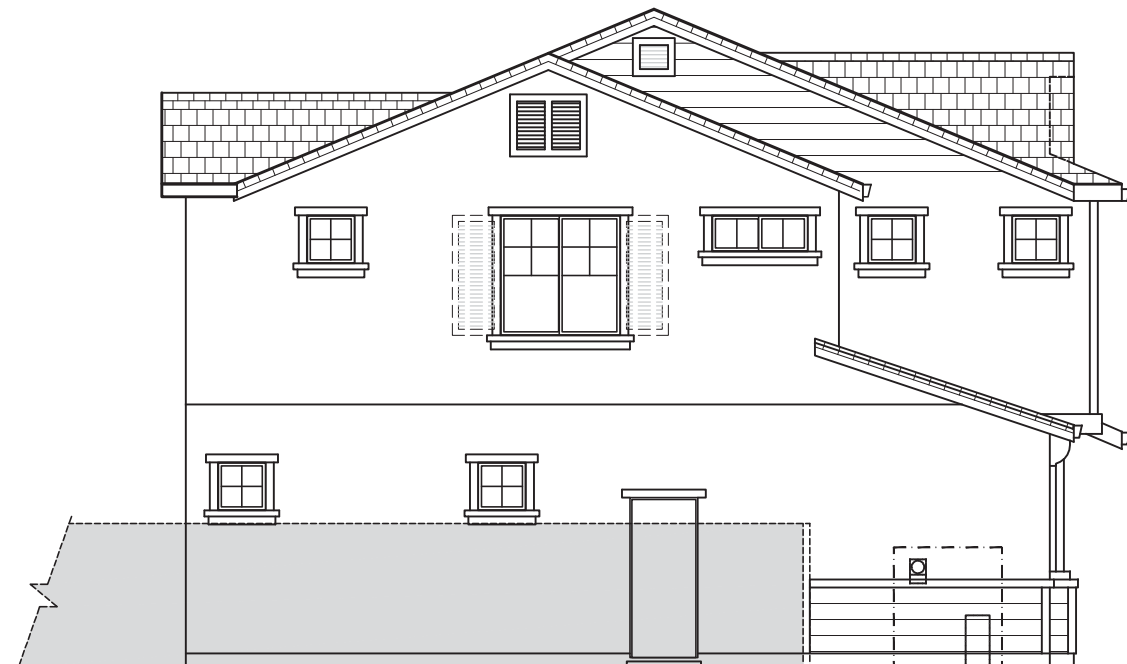
Rear

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

**Plan 1 (1846)
Elevations - 'C'**



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Elevation A



Elevation C

MATERIAL LEGEND

A. VILLA CONCRETE TILE ROOFING GABLE & HIP ROOFS STUCCO BODY STUCCO TRIM MOCK VENTS MOCK WOOD SHUTTERS SIMULATED BRICK VENEER WROUGHT IRON DETAIL ROLL-UP GARAGE DOORS W/ OPT. WINDOW LITES	B. FLAT CONCRETE TILE ROOFING GABLE & HIP ROOFS STUCCO BODY STUCCO TRIM STUCCO/FOAM CORBEL MOCK VENTS BOARD AND BATTEN SIMULATED STONE VENEER ROLL-UP GARAGE DOORS W/ OPT. WINDOW LITES	C. FLAT CONCRETE TILE ROOFING GABLE & HIP ROOFS STUCCO BODY STUCCO TRIM STUCCO/FOAM CORBEL MOCK VENTS MOCK WOOD SHUTTERS LAP SIDING ROLL-UP GARAGE DOORS W/ OPT. WINDOW LITES
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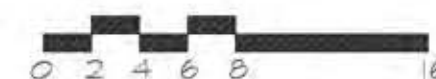
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Elevation B

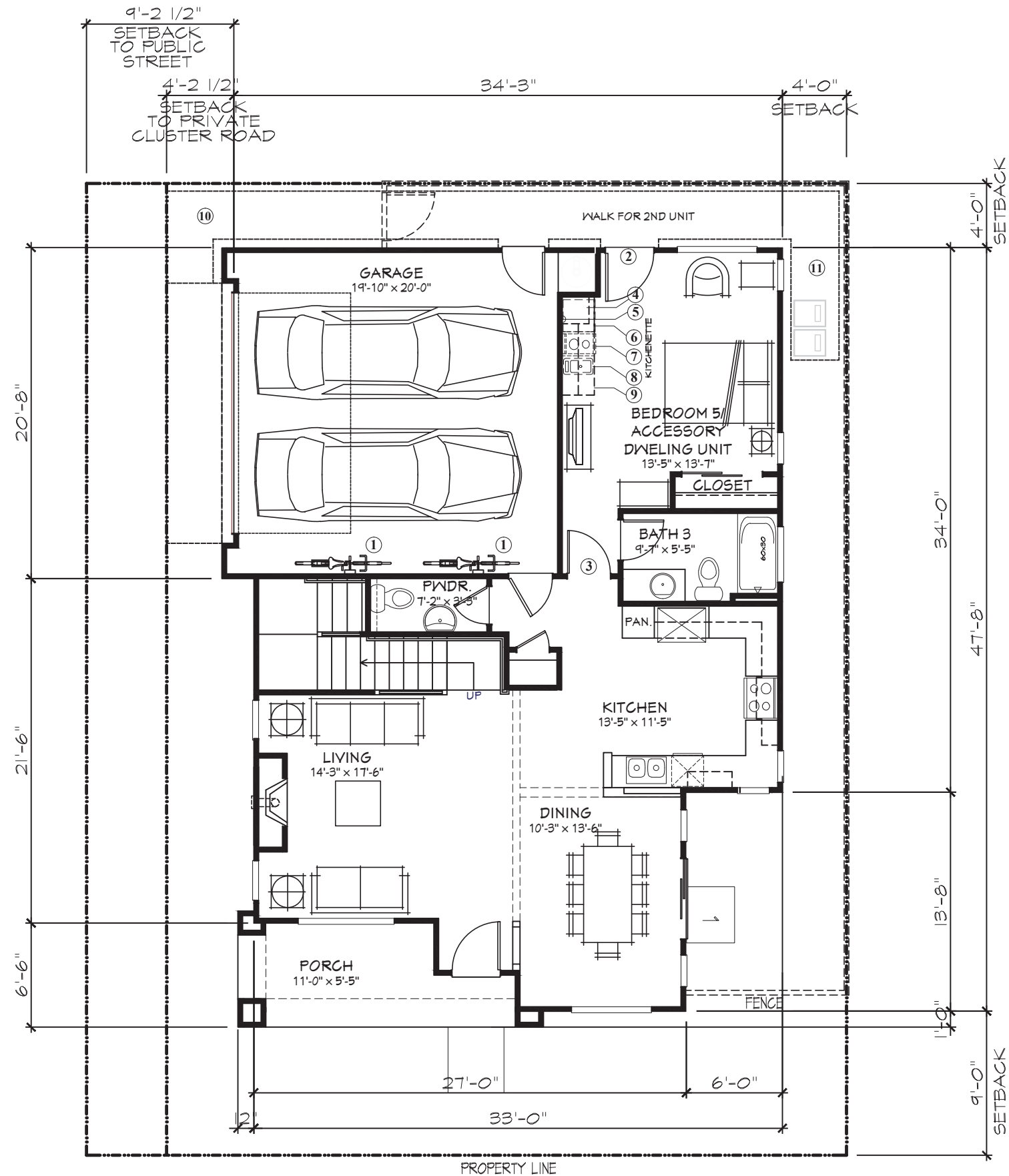
Plan 2 (2477)
Front Elevations



LIBERTY
PITTSBURG, CA

DISCOVERY
DESIGN
GROUP, LLC

Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)





Plan 2 (2477)

SQUARE FOOTAGE	
FIRST FLOOR	1020 SF
SECOND FLOOR	1453 SF
TOTAL LIVING AREA	2477 SF
GARAGE	422 SF

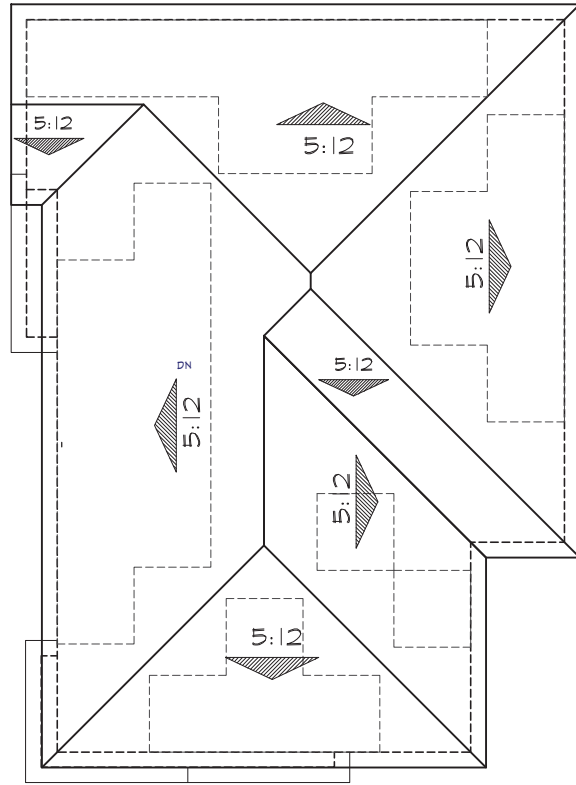
Second Floor Plan



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PITTSBURG, CA



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DENOTES
SOLAR PANELS

PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'A'

0 2 4 6 8 16



Right

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Rear

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

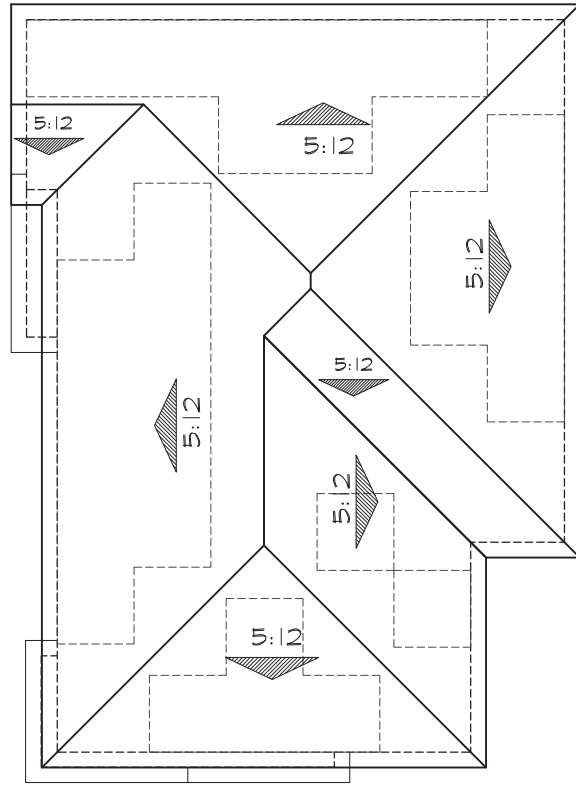
**Plan 2 (2477)
Elevations - 'A'**

0 2 4 6 8 16

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PITTSBURG, CA



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 DENOTES
SOLAR PANELS

PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'B'



Rear

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

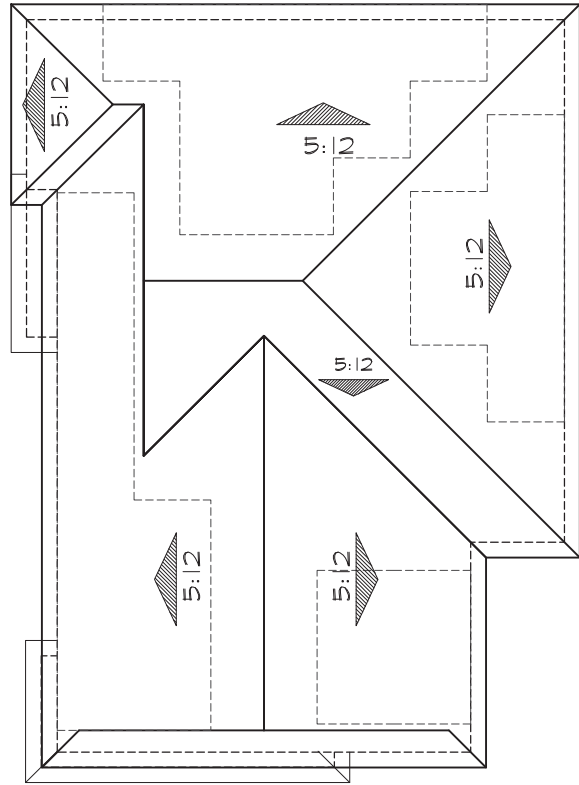
**Plan 2 (2477)
Elevations - 'B'**



LIBERTY
PITTSBURG, CA



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 DENOTES
SOLAR PANELS

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ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'C'



Rear

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

**Plan 2 (2477)
Elevations - 'C'**



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Elevation A



Elevation C

MATERIAL LEGEND

A. VILLA CONCRETE TILE ROOFING	B. FLAT CONCRETE TILE ROOFING	C. FLAT CONCRETE TILE ROOFING
GABLE & HIP ROOFS	GABLE ROOFS	GABLE ROOFS
STUCCO BODY	STUCCO BODY	STUCCO BODY
STUCCO TRIM	STUCCO TRIM	STUCCO TRIM
MOCK VENTS	BOARD AND BATTEN	MOCK WOOD SHUTTERS
SIMULATED BRICK VENEER	SIMULATED STONE VENEER	MOCK VENTS
ROLL-UP GARAGE DOORS	ROLL-UP GARAGE DOORS	LAP SIDING
W/ OPT. WINDOW LITES	W/ OPT. WINDOW LITES	ROLL-UP GARAGE DOORS
		W/ OPT. WINDOW LITES

GENERAL NOTES:

- ① ALL EXPOSED PORTIONS OF BUILDING FOUNDATIONS SHALL BE PAINTED THE MAIN BODY COLOR
- ② ALL ROOF VENTS SHALL BE PAINTED THE SAME COLOR AS ROOFING MATERIAL TO WHICH THEY ARE ADJACENT. DOWNSPOUTS, SIDE VENTS, AND ATTACHED UTILITY BOXES SHALL BE PAINTED THE SAME COLOR OR COLORS AS THE SURFACE OR SURFACES TO WHICH THEY ARE ADJACENT.



Elevation B

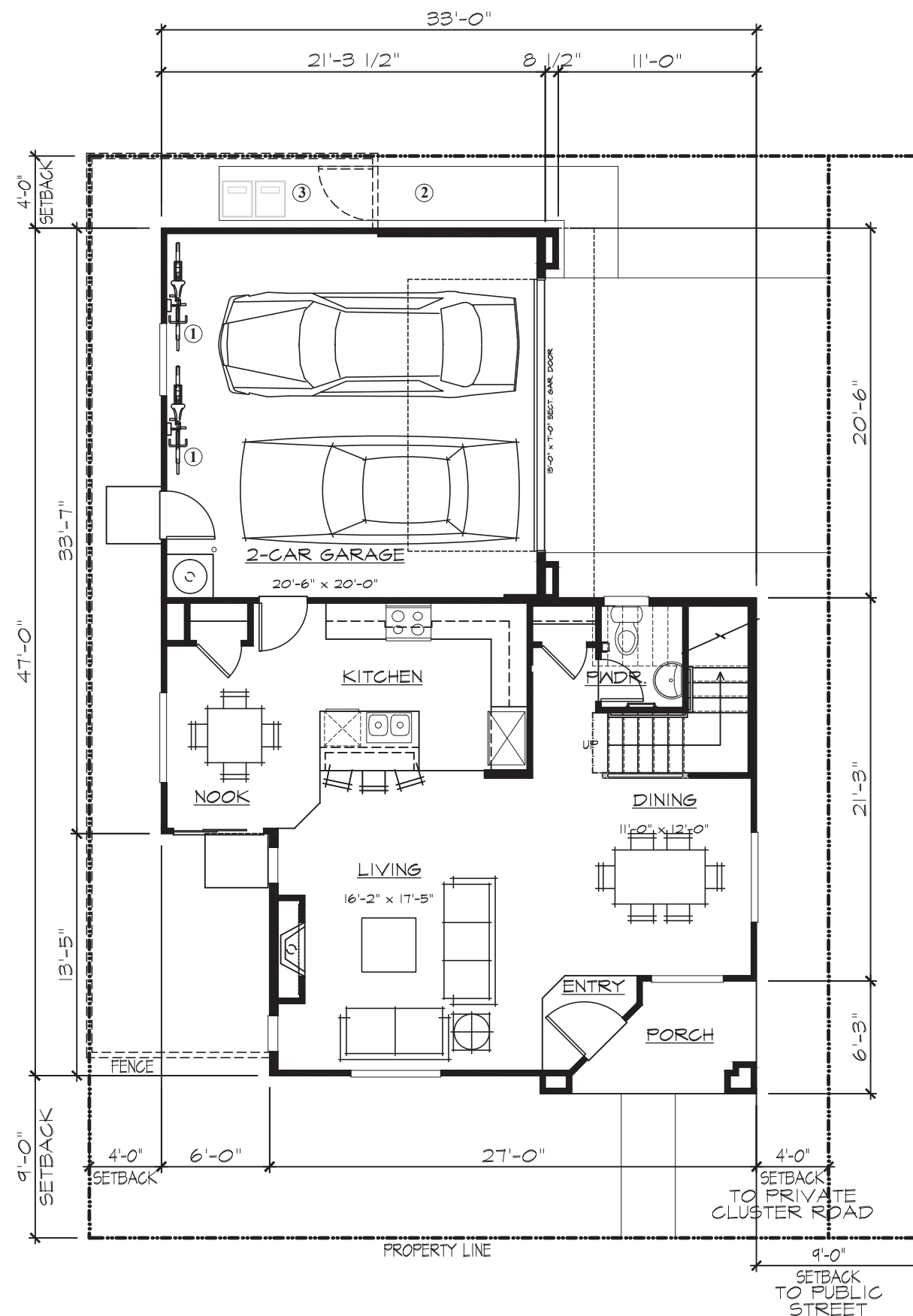
Plan 3 (1966)
Front Elevations



LIBERTY
PITTSBURG, CA

DISCOVERY
DESIGN
GROUP, LLC

Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Plan Notes:

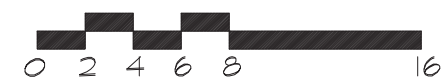
- ① Wall-mounted bicycle storage
- ② Concrete pathway
- ③ Concrete trash pad (7' min.)

Plan 3 (1966)

4 BEDROOMS
2-1/2 BATHS
LOFT

SQUARE FOOTAGE	
FIRST FLOOR	753 SF
SECOND FLOOR	1213 SF
TOTAL LIVING AREA	1966 SF
GARAGE	436 SF

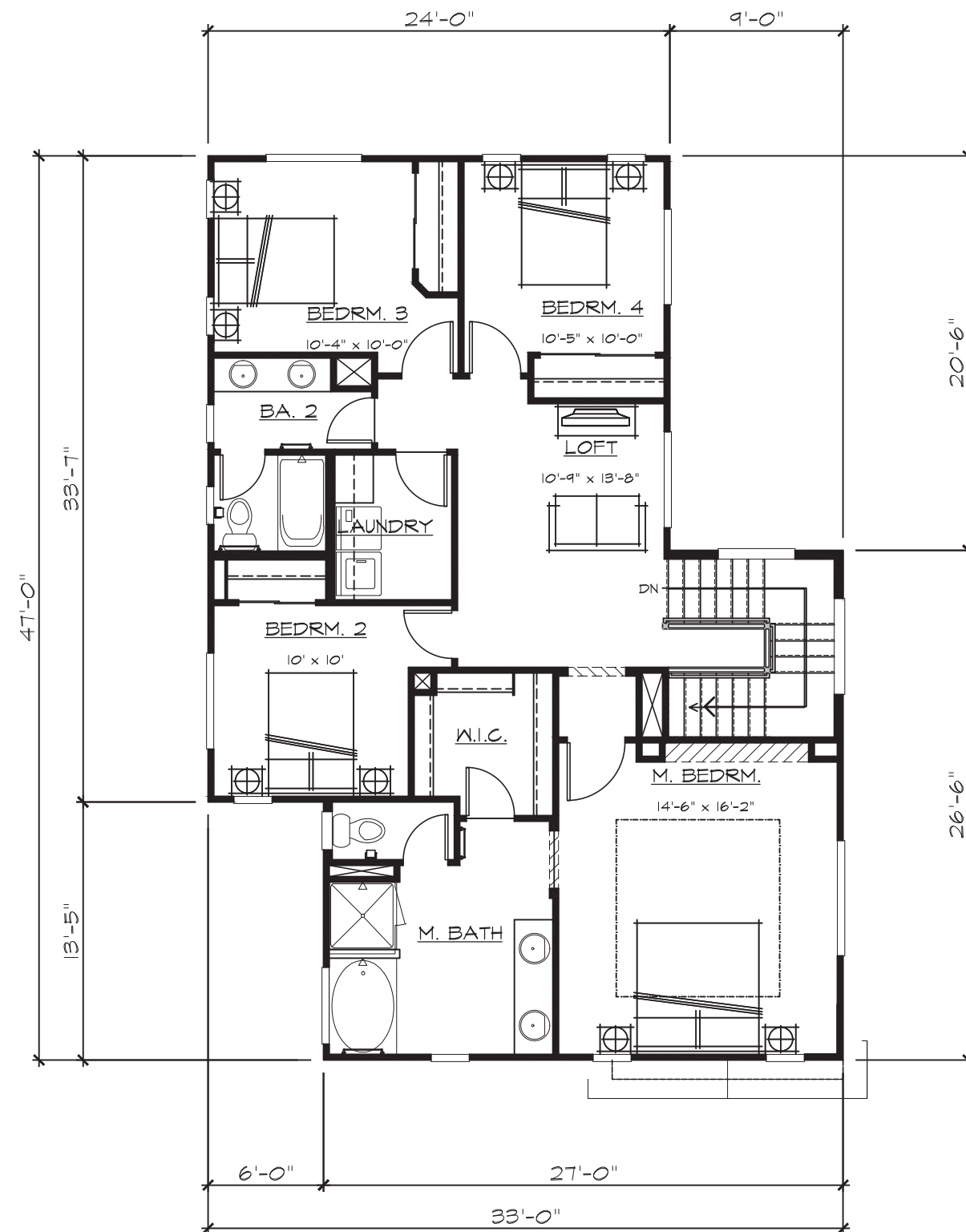
First Floor Plan



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)

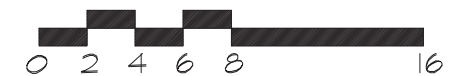


Plan 3 (1966)

4 BEDROOMS
2-1/2 BATHS
LOFT

SQUARE FOOTAGE	
FIRST FLOOR	753 SF
SECOND FLOOR	1213 SF
TOTAL LIVING AREA	1966 SF
GARAGE	436 SF

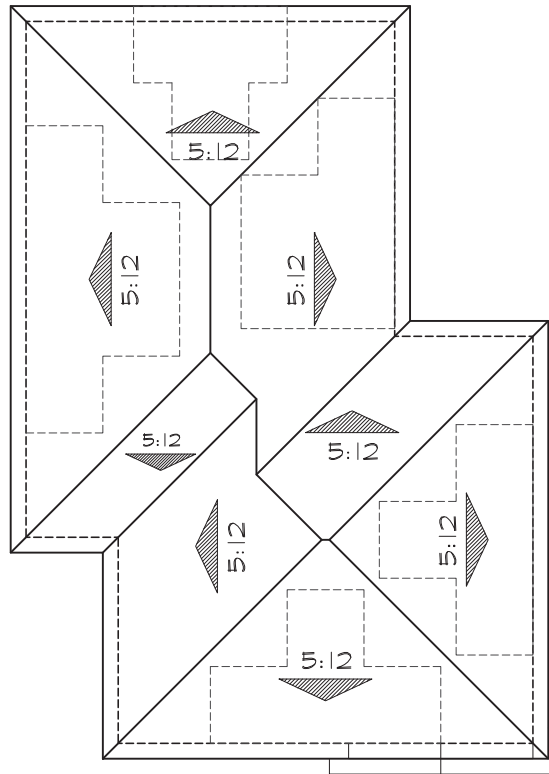
Second Floor Plan



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



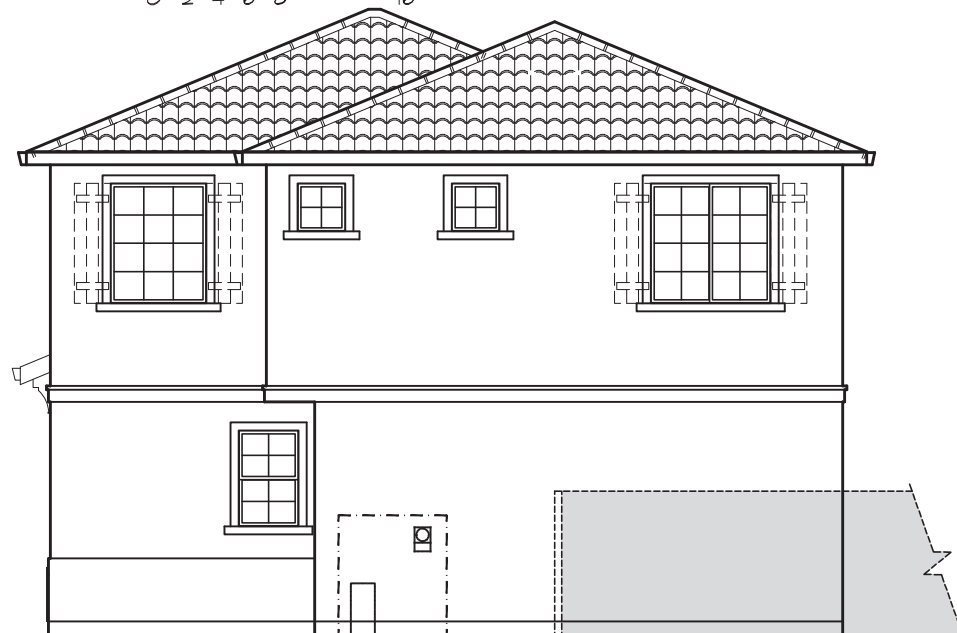
SOLAR ZONE READY:
REFER TO SECTION 110.10 IN THE
2013 CALIFORNIA ENERGY CODE
FOR MANDATORY REQUIREMENTS
FOR SINGLE-FAMILY RESIDENCES
AND MINIMUM SOLAR ZONE.

 DENOTES
SOLAR PANELS

PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'A'

0 2 4 6 8 16



Rear

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

 INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

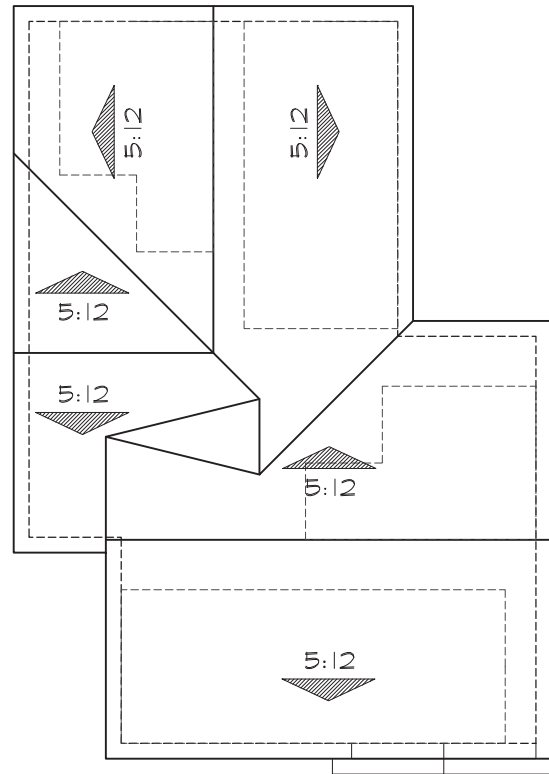
**Plan 3 (1966)
Elevations - 'A'**

0 2 4 6 8 16

LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



SOLAR ZONE READY:
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AND MINIMUM SOLAR ZONE.

DENOTES
SOLAR PANELS

PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'B'



Rear

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Right

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Left

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

**Plan 3 (1966)
Elevations - 'B'**



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Number of correct answers	Frequency
0	1
2	2
4	1
6	2
8 or more	5

Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Elevation A



Elevation B



Elevation C

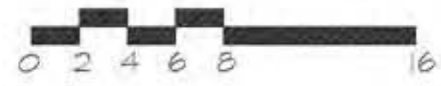
MATERIAL LEGEND

A. VILLA CONCRETE TILE ROOFING	B. FLAT CONCRETE TILE ROOFING	C. FLAT CONCRETE TILE ROOFING
GABLE & HIP ROOFS	GABLE ROOFS	GABLE ROOFS
STUCCO BODY	STUCCO BODY	STUCCO BODY
STUCCO TRIM	STUCCO TRIM	STUCCO TRIM
MOCK VENTS	STUCCO/FOAM CORBEL	MOCK VENTS
MOCK WOOD SHUTTERS	MOCK WOOD SHUTTERS	MOCK WOOD SHUTTERS
SIMULATED BRICK VENEER	SIMULATED STONE VENEER	LAP SIDING
ROLL-UP GARAGE DOORS	BOARD AND BATTEN	ROLL-UP GARAGE DOORS
W/ OPT. WINDOW LITES	ROLL-UP GARAGE DOORS	W/ OPT. WINDOW LITES
	W/ OPT. WINDOW LITES	

GENERAL NOTES:

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Plan 4 (2034)
Front Elevations



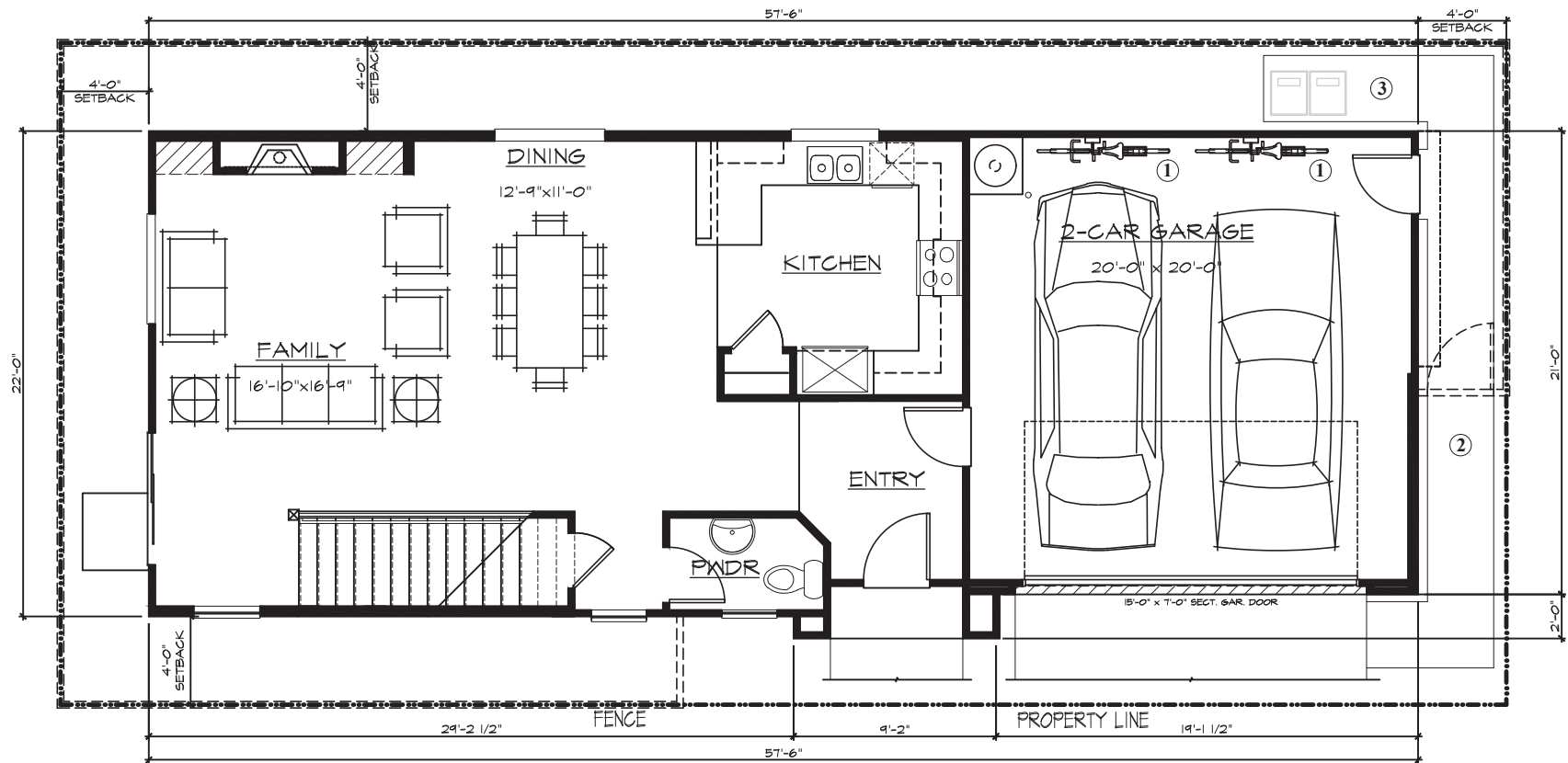
LIBERTY
 PITTSBURG, CA



Discovery Builders Inc.
 Date 02/13/17 (Revised 05/11/17)

Plan Notes:

- ① Wall-mounted bicycle storage
- ② Concrete pathway
- ③ Concrete trash pad (7' min.)



Plan 4 (2034)

4 BEDROOMS
2-1/2 BATHS
LOFT

SQUARE FOOTAGE	
FIRST FLOOR	809 SF
SECOND FLOOR	1225 SF
TOTAL LIVING AREA	2034 SF
GARAGE	419 SF

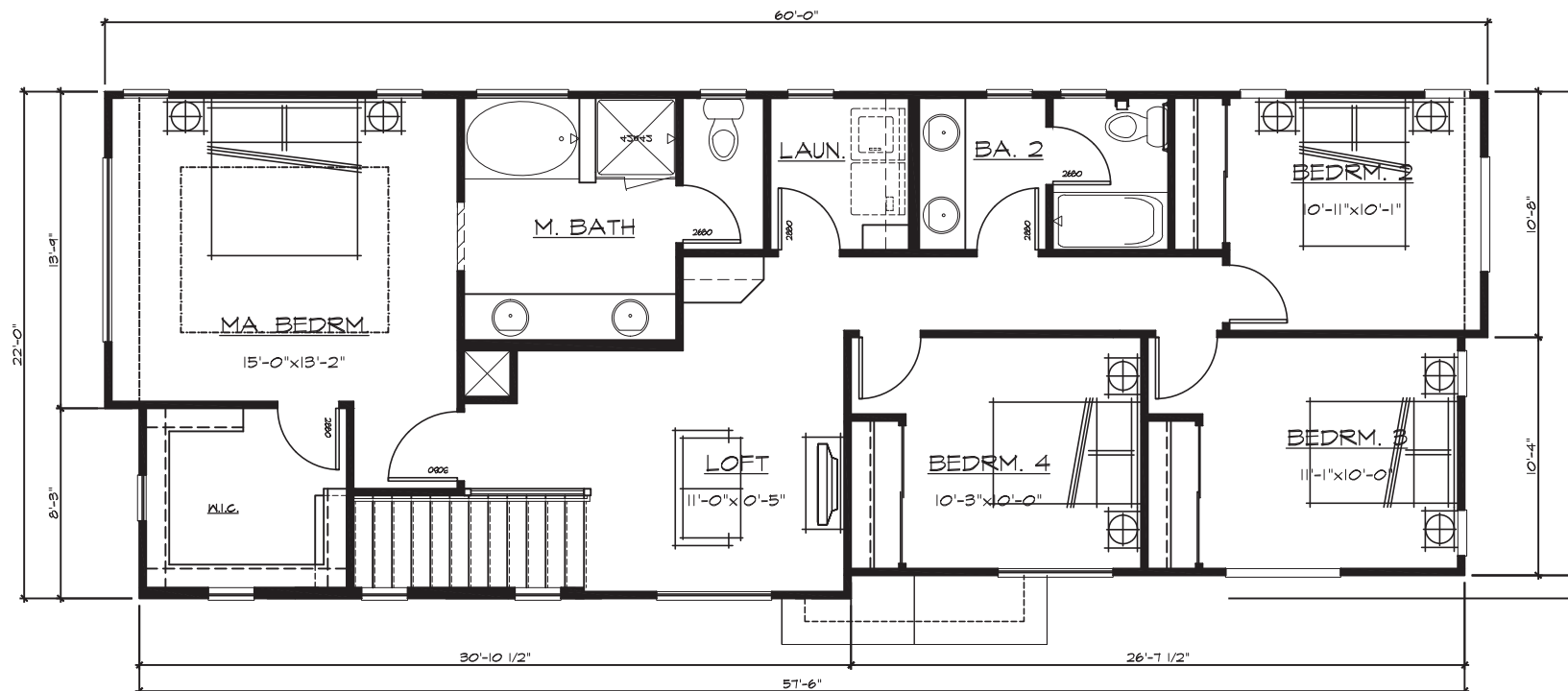
First Floor Plan



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Plan 4 (2034)

4 BEDROOMS
2-1/2 BATHS
LOFT

SQUARE FOOTAGE	
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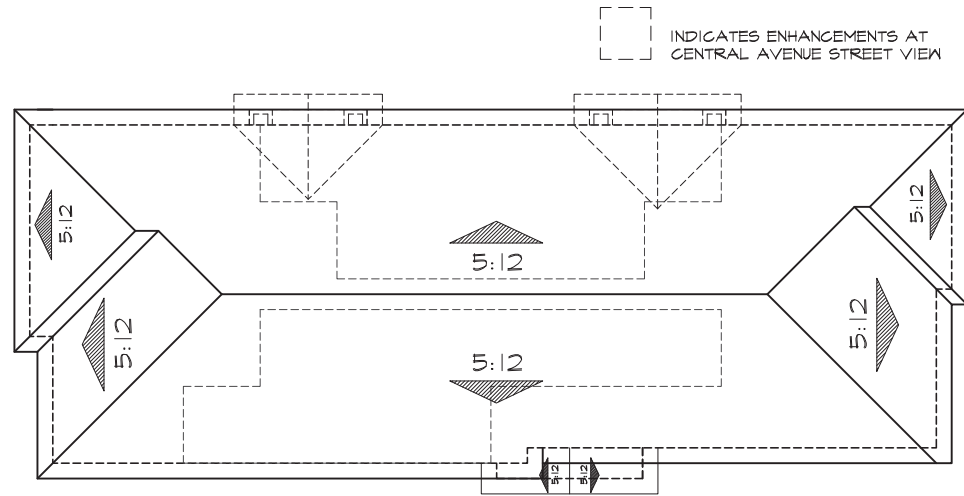
Second Floor Plan



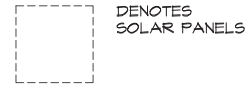
LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



SOLAR ZONE READY:
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FOR SINGLE-FAMILY RESIDENCES
AND MINIMUM SOLAR ZONE.



PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.

Roof Plan 'A'



Right



Rear



Plan 4 (2034)
Elevations - 'A'



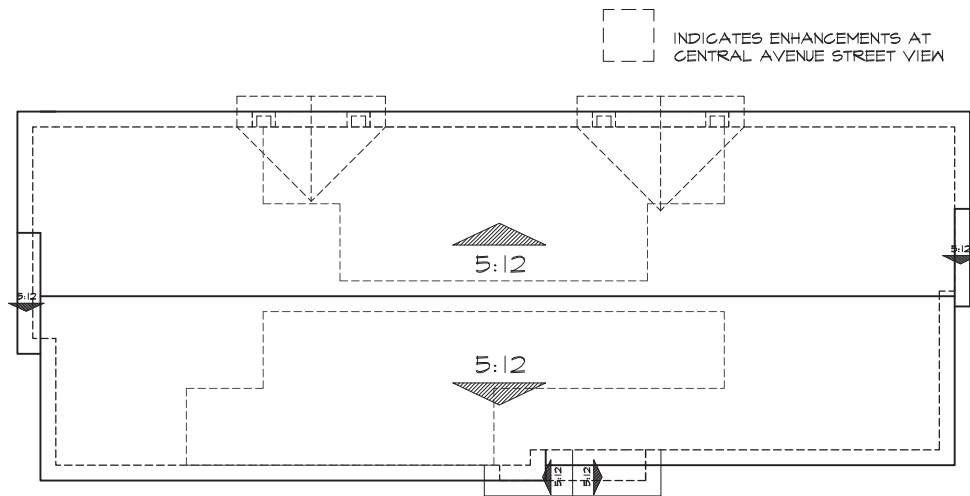
Left



LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



SOLAR ZONE READY:
REFER TO SECTION 110.10 IN THE 2019 CALIFORNIA ENERGY CODE FOR MANDATORY REQUIREMENTS FOR SINGLE-FAMILY RESIDENCES AND MINIMUM SOLAR ZONE.



PROVIDE CONDUIT ONLY FROM ROOFATTIC TO ELECTRICAL SERVICE PANEL FOR FUTURE PHOTOVOLTAIC PANELS.

Roof Plan 'B'



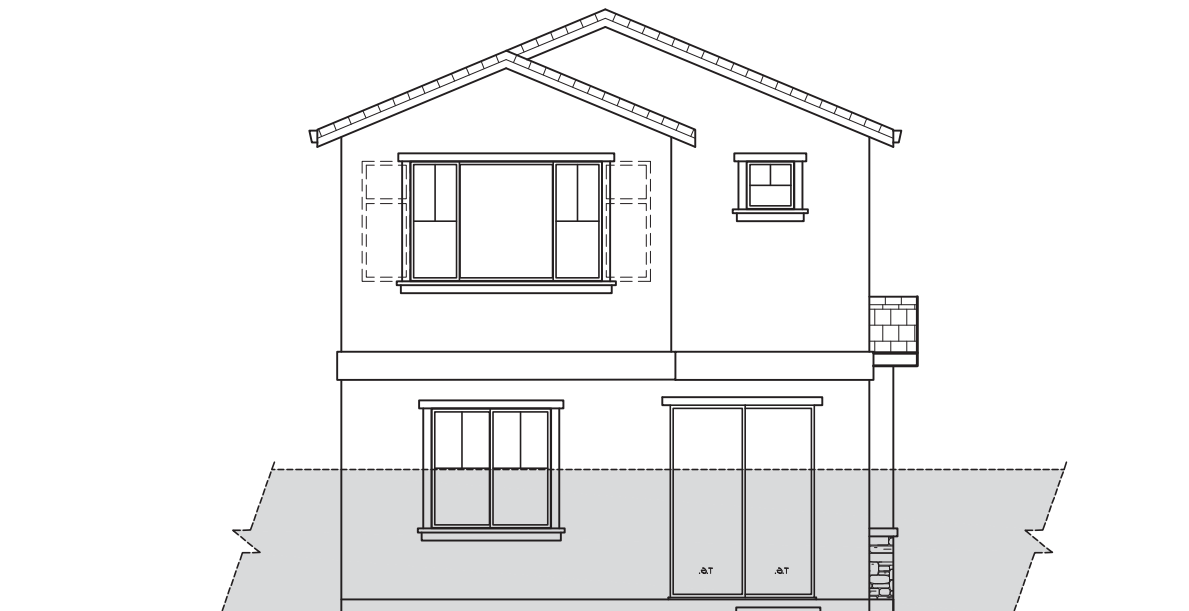
Right



Rear



Plan 4 (2034)
Elevations - 'B'



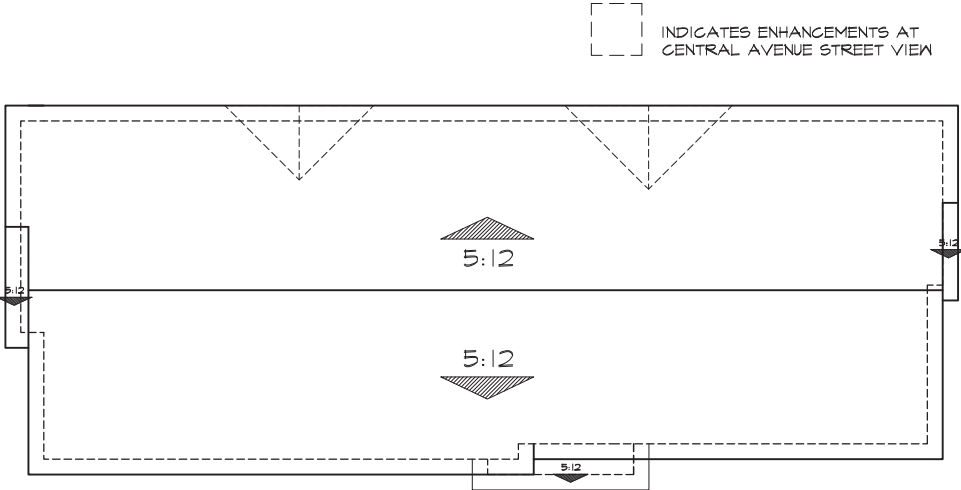
Left



LIBERTY
PITTSBURG, CA



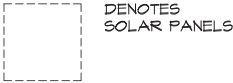
Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)



Roof Plan 'C'



SOLAR ZONE READY:
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2019 CALIFORNIA ENERGY CODE
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FOR SINGLE-FAMILY RESIDENCES
AND MINIMUM SOLAR ZONE.



PROVIDE CONDUIT ONLY FROM
ROOFATTIC TO ELECTRICAL
SERVICE PANEL FOR FUTURE
PHOTOVOLTAIC PANELS.



Right

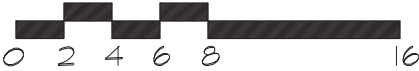
INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW



Rear

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

Plan 4 (2034)
Elevations - 'C'



Left

INDICATES ENHANCEMENTS AT
CENTRAL AVENUE STREET VIEW

LIBERTY
PITTSBURG, CA



Discovery Builders Inc.
Date 02/13/17 (Revised 05/11/17)

SUBDIVISION: **LIBERTY**
DISCOVERY BUILDERS INC.

PITTSBURG, CA

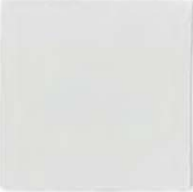
COLOR BOARD

SCHEME	VILLA TILE	FLAT TILE	BODY 1	BODY 2	TRIM	ACCENT	STONE	BRICK
SCHEME 1	1VICS3233 Brown Blend 	1FACS1132 Charcoal Brown Blend 	KMW28-1 Clam 	KM5784-3 Creek Bay 	KM5792-3 Stacked Stone 	KM4582 Beaver Pelt 	Sevilla Dressed Fieldstone 	Sandy Creek 
SCHEME 2	1VICS6464 CA Mission Blend 	1FACS6464 CA Mission Blend 	KMW10-1 Pogo Sands 	KM4937-3 Paw Print 	KM5777 Cannery Park 	KM4897-5 Yin Mist 	Echo Ridge Dressed Fieldstone 	Coastal Bluff 
SCHEME 3	1VICS7330 Verona Clay 	1FACS0024 - Desert Sage 	KM4634-2 Community 	KM4635-3 Tanglewood 	KM46 Acoustic White 	KMA56-5 Pinyon Pine 	Tudor Old Country Fieldstone 	Moroccan Sand 
SCHEME 4	1VICS6464 CA Mission Blend 	1FACS6464 CA Mission Blend 	KM232 Toscana 	KM412 Cargo 	KM4582 Beaver Pelt 	KMA68-5 Leather Satchel 	Red Rock Country LedgeStone 	High Desert 
SCHEME 5	1VICS7330 Verona Clay 	1FACS1430 Charcoal Blend 	KM4719 Harvest Dance 	KM4718-2 Wagon Wheel 	KM4575-5 Mud Room 	KMA76-5 Log Cabin 	Grand Mesa Country LedgeStone 	Marsh Pointe 
SCHEME 6	1VICS3233 Brown Blend 	1FBCF1132 Charcoal Brown Blend 	KM4942-2 Tin Man 	KM4937-3 Paw Print 	KM4939-5 Arrowhead 	KM417 Oxford Brown 	Umber Creek Country LedgeStone 	Tobacco Road 

SUBDIVISION: **LIBERTY**
DISCOVERY BUILDERS INC.

PITTSBURG, CA

COLOR BOARD

SCHEME	VILLA TILE	FLAT TILE	BODY 1	BODY 2	TRIM	ACCENT	STONE	BRICK
SCHEME 7	1VICS3163 Camino Blend 	1FACS1132 Charcoal Brown Blend 	HL4201 Adobe White 	KM5705-3 Pioneer Village 	KM5800-5 Sausalito Ridge 	KMA82-5 Lamp Post 	Burnt Ochre Del Mare LedgeStone 	Coastal Bluff 
SCHEME 8	1VICS0024 Desert Sage 	1FACS1430 Charcoal Blend 	KM4899-1 Gray Spell 	KM4942-2 Tin Man 	KM4786-1 Fresh Linen 	KM407 Carbon 	Echo Ridge Old Country Fieldstone 	Alamo 
SCHEME 9	1VICS3233 Brown Blend 	1FBCF1430 Charcoal Blend 	KM305 Ironwood 	KM4938-3 Grouchy Badger 	KM216 Malibu Beige 	KM5804-5 Yacht Club 	Chardonnay Old Country Fieldstone 	Capers Island 
SCHEME 10	1VICS3233 Brown Blend 	1FACS1132 Charcoal Brown Blend 	KM4566-3 City Loft 	KM4559-3 Mink 	KM5800-5 Sausalito Ridge 	KMA66-5 Santana Soul 	Chardonnay Limestone 	Rustic Manor 
SCHEME 11	1VICS7330 Verona Clay 	1FBCF1132 Charcoal Brown Blend 	KM49 Antique White 	KM5767-2 Greige 	KM14 Frost 	KM4818-5 Knit Cardigan 	Sevilla Country LedgeStone 	Old Guignard 
SCHEME 12	1VICS0024 Desert Sage 	1FBCF1430 Charcoal Blend 	KM4908-1 Bashful Emu 	KM4896-3 Stone Hearth 	KM49 Antique White 	KMA82-5 Lamp Post 	Skyline Country LedgeStone 	Mt Rushmore 

ROOFING: Boral Concrete Tile or Equivalent
STONE: Boral Cultured Stone/Cultured Brick or Equivalent
PAINT: Kelly Moore or Equivalent

FULL STREETSCAPE



PARTIAL STREETSCAPE



ENHANCED REAR ELEVATION
PLAN 4 ELEVATION 'C'

ENHANCED REAR ELEVATION
PLAN 1 ELEVATION 'A'

ENHANCED LEFT ELEVATION
PLAN 3 ELEVATION 'C'

ENHANCED RIGHT ELEVATION
PLAN 1 ELEVATION 'B'

LIBERTY

CENTRAL AVENUE STREETSCAPE

FULL STREETSCAPE



PARTIAL STREETSCAPE



ENHANCED LEFT ELEVATION
PLAN 1 ELEVATION 'C'

ENHANCED RIGHT ELEVATION
PLAN 2 ELEVATION 'A'

ENHANCED LEFT ELEVATION
PLAN 3 ELEVATION 'B'

ENHANCED REAR ELEVATION
PLAN 4 ELEVATION 'A'

LIBERTY

CENTRAL AVENUE STREETSCAPE

Attachment 3
Map of Surrounding Uses

Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

★ Project Site



Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)



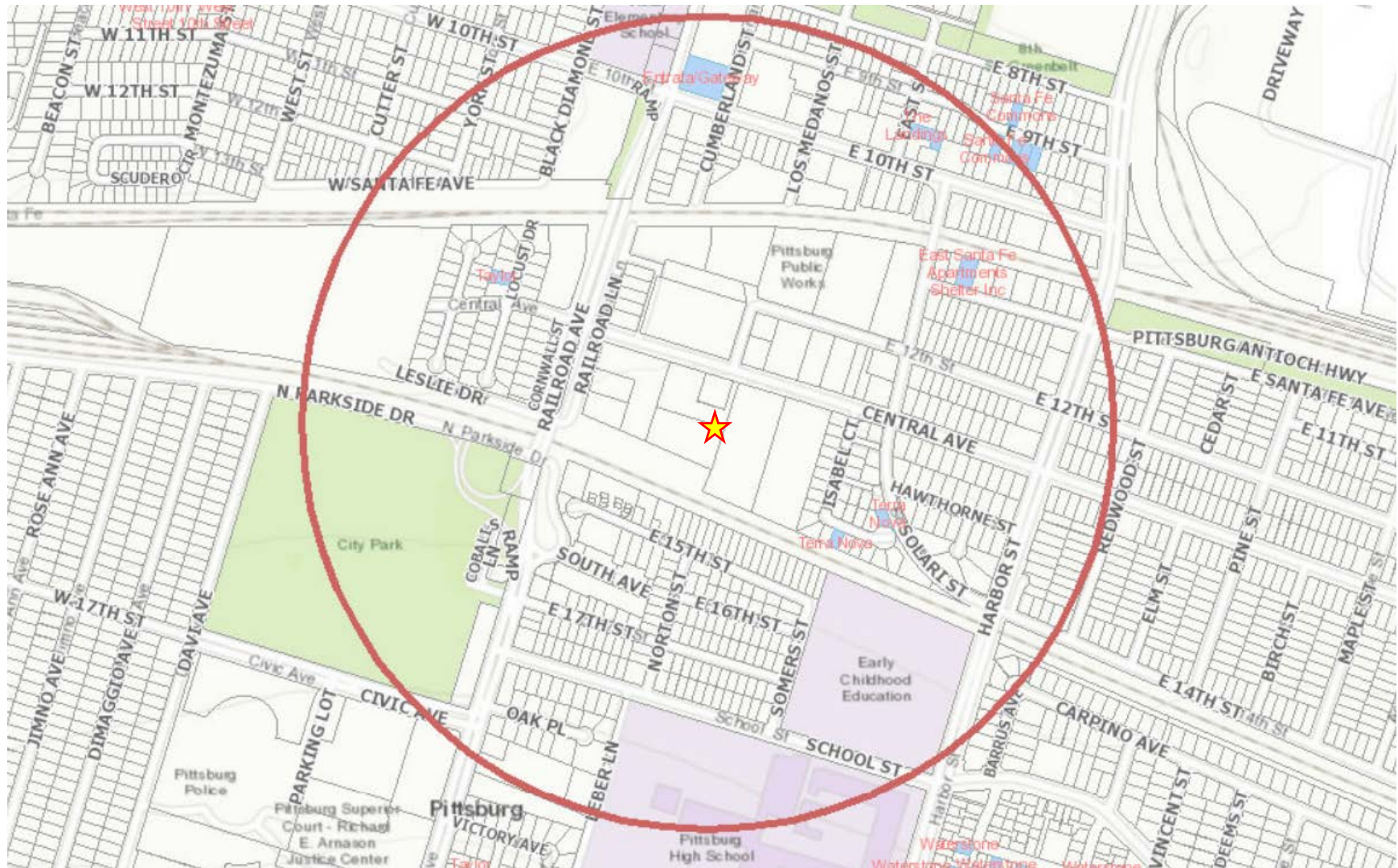
Project Site



Income-Restricted Developments



1/4 mile radius of Project Site



Attachment 4
Photos of Site and Surroundings
Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)



Above: View of St. James Cathedral from Central Avenue looking west toward Railroad Avenue
Below: View of Project Site from Central Avenue looking west toward Railroad Avenue





Above: View of Project Site from intersection of Central Avenue/Moose Way looking south
Below: View of Project Site from Central Avenue looking east toward Harbor Street





Above: View of Ramar Foods from Central Avenue looking east toward Harbor Street

Below: View of Filipino-American Cultural Center from Central Avenue looking east toward Harbor Street



Attachment 5
Applicable General Plan Goals and Policies
 Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

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 on an infill site.
2-G-4: Provide a range of development intensities, with the highest intensities in Downtown and in areas accessible to transit and services, and lower intensities in hillsides and at the City's southern edge.	Consistent. The project site is within a half-mile distance of the Pittsburg Center BART station and a quarter-mile of two bus stops located near the intersections of Railroad Avenue/Central Avenue and Harbor Street/Central Avenue (Tri Delta Transit Routes 381 and 387).
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 construct provide higher-density, single family development on smaller lots ranging from 2,000 to 4,200 square feet.
2-P-5: Undertake planned development as a means to achieve high community design standards, not to circumvent development intensity standards.	Consistent. The project will utilize a PD zoning, in part, to achieve a high-quality design outcome.
2-P-6: Ensure provision of community amenities within planned development projects, including parks and recreation facilities, streetscaping and pedestrian paths, transit facilities, parking areas, and public safety facilities. Ensure construction of amenities at a time that is in balance with the needs of the development.	Consistent. The project will provide an 11,724-square-foot pocket park as a community amenity within the planned development.
Growth Management:	
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 will be built in an area where public facilities and infrastructure are already available.
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. Residents of the proposed development will have multiple transportation options available to them as the site is located near BART, Tri-Delta Transit, and bicycle lanes.
3-P-5: As part of development review, require preparation of a traffic impact study for all development projects expected to generate more than 100 net new peak hour vehicle trips. Ensure that traffic impact studies are prepared by professional transportation consultants selected and hired by the City, but require that project proponents pay all fees associated with development of such studies.	Consistent. The developer was not required to prepare a traffic impact study because the project is expected to generate under 100 net new peak hour trips.

3-P-13: Review and update the City's transportation impact fee schedule, requiring developers to pay the costs necessary to mitigate impacts of their development projects on the local and regional transportation system.	Consistent. The project will pay its share of the costs for the construction of facilities needed to serve the development. It will comply with conditions of approval requiring payment of the Facilities Reserve Charge, Local Traffic Mitigation Fee (LTMF), and Regional Transportation Development Impact Mitigation Fee (RT-DIM) in accordance with the Pittsburgh Municipal Code.
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.	Conditionally Consistent. There is an existing Class II bicycle lane along Central Avenue and the project will comply with conditions of approval requiring that the sidewalk along the Central Avenue frontage be replaced with a new ten-foot-wide pathway.
Downtown Element	
5-G-2: Promote the development and intensification of the Downtown commercial core as both a visitor destination and a neighborhood retail center. Encourage a critical mass of visitor-oriented retail businesses, such as gift shops and galleries, as well as neighborhood retail and personal services.	Consistent. The project will promote the development and intensification of the Downtown commercial core as neighborhood retail center by increasing the demand for retail and other amenities.
5-G-4: Establish a Downtown population goal of at least 7,000 to provide vitality and support a vibrant neighborhood commercial center.	Consistent. The project will add approximately 186 people (57 units at 3.27 people/unit). The additional population will further support a vibrant neighborhood commercial center.
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 shopping destinations.	Consistent. The project will encourage walking as a regular means of transportation due to the site's proximity to various amenities. The project site is within a half-mile distance of Marina Vista Elementary School, Pittsburgh High School, City Park, John Buckley Square, the Pittsburgh Center BART station, and the Downtown commercial core.
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.	Consistent. The proposed projects would be required to pay all building permit and impact fees associated with residential development.
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. There is an existing Class II bicycle lane along Central Avenue and the project will comply with conditions of approval requiring that the sidewalk along the Central Avenue frontage be replaced with a new ten-foot-wide pathway.
Open Space, Youth and Recreation Element	
8-P-1: Maintain a neighborhood and community park standard of 5 acres of public parkland per 1,000 residents.	Consistent. The project will comply with the development agreement requiring the developer pay an In-Lieu Parkland Dedication Fee in accordance with PMC section 17.32.020.D.2. The project will also provide a private pocket park that is centrally located and within reasonable walking distance of all homes in the subdivision. The
8-P-2: Pursue the development of park and recreation facilities within reasonable walking distance of all homes.	

8-P-5: Maintain park and recreation facility standards for new development to serve both residents and employees, attainable through dedication of parkland or payment of in-lieu fees.	developer was not encouraged to dedicate a public park because the proposed development includes less than 150 units
8-P-16: Encourage dedication of public parks in new residential developments with more than 150 units.	
Resource Conservation Element	
9-G-7: Comply with Regional Water Quality Control Board regulations and standards to maintain and improve the quality of both surface water and groundwater resources.	Consistent. The project will comply with mitigation measures and conditions of approval requiring implementation of a Storm Water Control Plan in compliance with the requirements set forth in the City's most current NPDES permit. Post construction BMPs will be installed throughout the subdivision and an Operations and Maintenance Agreement will be executed by the City and developer for the perpetual maintenance of those BMPs
9-P-22: Continue working with the Regional Water Quality Control Board in the implementation of the National Pollutant Discharge Elimination System (NPDES), with specific requirements established in each NPDES permit.	
Health and Safety Element	
10-G-8: Ensure that new development mitigates impacts to the City's storm drainage capacity from storm water runoff in excess of runoff occurring from the property in its undeveloped state.	Consistent. The project will comply with mitigation measures and conditions of approval requiring implementation of a Storm Water Control Plan in compliance with the requirements set forth in the City's most current NPDES permit. Post construction BMPs will be installed throughout the subdivision and an Operations and Maintenance Agreement will be executed by the City and developer for the perpetual maintenance of those BMPs
10-P-30: Encourage residential development that includes post-construction Best Management Practices to minimize runoff from the site to the stormdrain system (for example, using permeable surfaces for parking lots, sidewalks, and bike paths, or using roof runoff as irrigation).	
10-P-39: Strive to maintain a ratio of 1.8 sworn police officers per 1,000 residents.	Consistent. The project site will be annexed into the City's CFD 2005-1 for police and other emergency services
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 is required to meet the 2016 California Green Building Standards Code, Part 11. Residential Mandatory Measures sections 4.303 and 4.304 require water conserving plumbing fixtures and fittings and water efficient landscaping.
11-P-7: Ensure that new residential, commercial, and industrial development equitably shares costs associated with providing water services to areas of urban expansion within the Planning Area.	Consistent. The project will equitably share the costs associated with providing water and wastewater services to the subdivision through payment of the Pittsburg Facilities Reserve Charge.
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.	

Noise Element	
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.	Consistent. The project will provide sound walls along the entire site perimeter and will also comply with mitigation measures requiring upper-floor windows of residences adjacent to Central Avenue (homes on Lots 1-4 and 54-57) and the UPRR tracks (homes on Lots 24-23) to be upgraded to a Sound Transmission Class (STC) rating of 32. The proposed sound walls and upper-story windows will help ensure interior noise levels do not exceed 45 dB CNEL.
Housing Element	
P-1.1 B: Ensure there is an adequate supply of mixed use and residentially zoned land of appropriate densities to accommodate existing and anticipated housing needs through 2022. Rezone vacant/underutilized land that is deemed appropriate for mixed use or residential/higher-density residential use.	Consistent. The project site being rezoned is vacant, underutilized, and appropriate for higher-density residential use given its proximity to schools, parks, transit, and commercial amenities.
P-1.2: Encourage the construction of both high end and moderate-income housing in the southern foothills, 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 project will provide market-rate housing near in the Downtown and increase demand for economic activity in nearby shopping centers.
P-1.5: Encourage the construction of accessory dwelling units or “second units” that allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners.	Consistent. Pursuant to the proposed development agreement, the project will provide at least six single-family homes with accessory dwelling units that would allow extended families to live near each other, increase the affordable and rental housing stock, and provide income assistance to homeowners.
P-1.6: Meet Pittsburg’s fair share regional housing needs [allocation].	Consistent. The project will help attain the City’s Regional Housing Needs Allocation for moderate and above-moderate income households
P-5.1: Enhance the quality and variety of new home designs and home additions to ensure an attractive living environment.	Consistent. The project will comply with conditions of approval requiring construction of quality home designs to ensure future residents will enjoy an attractive living environment.

Attachment 6
Development Review Design Guidelines
 Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)

Design Review Guideline	Meets Guideline?
1.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.	Conditionally. A proposed condition of approval would require the developer to provide enhanced window treatments on building elevations visible from Central Avenue.
1.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 proposed homes incorporate tile roof material.
1.c: Each dwelling unit should be provided with complete front yard and corner-side yard xerophytic landscaping and automatic irrigation.	Yes. The proposed landscaping meets the standards set forth in PMC Section 18.84.310.
1.d: Required front yards should vary in depth unless otherwise stated for a proposed PD (Planned Development) district.	Not applicable. This guideline does not appear to apply to PD districts.
1.e: Decorative masonry walls should be provided between all arterial streets and future homes.	Yes. Decorative masonry walls are provided between Central Avenue and future homes.
1.f: Roof slopes should be considered greater than 4:12 unless inappropriate for architectural style (i.e. Ranch Style, etc.).	Yes.
1.g: Provide articulated garage doors on all garages.	Yes. The proposed homes will have articulated garage doors.
1.h: Garage doors designs should not be duplicated. Not less than four styles should be used in a subdivision.	Yes. There are 12 different home elevations and each has a different garage door design and color.
1.i: Side-on garages are recommended intermittently through-out the subdivision (70' wide lots or greater).	Not applicable. Seventy-foot wide lots are not proposed as part of the project.

1.j: Garage frontage should not occupy more than 60% of allowable lot frontage.	Yes.
1.k: Provide board-on-board fencing on all side yards and rear yards (excluding side yards and rear yards adjacent to major thoroughfares), unless a view corridor is to be maintained.	Yes. Six-foot-high, wood, board-on-board fencing will be installed along side and rear yards.
1.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.	Conditionally. A proposed condition of approval would require the developer to provide enhanced window treatments on building elevations visible from Central Avenue.
2.a: Subdivision entry monuments should be provided on new major subdivisions, neighborhoods or villages, if appropriate.	Yes. Two entry signs with the subdivision's name and branding, would be embedded into the masonry walls on each side of Liberty Court.
2.b: Perimeter wall and/or sound wall pilasters should not be greater than 50 feet on center.	Conditionally. A proposed condition of approval would require the developer to provide pilasters with a decorative concrete cap at intervals of 25 feet or less. A decorative wall cap would also be provided along each wall. Any pilaster visible from Central Avenue, Liberty Court, or Parcel E (pocket park) would incorporate stone veneer. If both sides of a pilaster would be visible from two vantage points, both sides would be required to incorporate stone veneer.
2.c: Sound walls exceeding 6 feet in height and visible from the public right-of-way should be treated with decorative features consistent with the neighborhood design.	
2.d: All masonry walls should include a wall cap.	
2.e: Retaining walls, exceeding three feet tall, adjacent to a public right-of-way should be constructed with the same materials as used for the sound walls.	Conditionally. A condition of approval would require the developer to provide walls constructed from concrete block, gravity concrete or similar materials when walls are required between lots and they are equal to or greater than two feet in height.

2.f: Masonry or sound walls should be staggered when adjacent to public right of ways.	No. However, staggering the masonry walls along Central Avenue is not considered appropriate because doing so would further reduce the sizes of the adjacent lots, making it tougher to meet the minimum setbacks that are sought for the PD district.
2.g: Single story units should be located on corner lots whenever possible.	No. However, staff believes that this guideline is partially intended to incorporate affordability by design. It should be noted that income-restricted accessory dwelling units would be incorporated into at least six homes throughout the subdivision.
2.h: Developer should select, at least one of the schemes provided in Appendix 1 of the DRDGs for screening all utility boxes, transformers, backflow preventers, meters and junction boxes.	Conditionally. A condition of approval would require all utility boxes and/or transformers to be undergrounded. Where undergrounding is deemed infeasible or not recommended by Pacific Gas & Electric (PG&E), utility boxes and/or transformers would be masked by either faux stone utility box covers or a landscape screen.
2.i: Construct fence/walls at top down slope banks. Design fence at top of slope to take advantage of potential views.	Not applicable. The site is relatively flat and will not require fences/walls at top down slope banks.
2.j: Dwelling unit driveways should align with on-coming street at three-way intersections when possible.	No. The houses at the end of each motor court are not fully aligned with on-coming traffic. However, given the site constraints and lot configurations, very little can be done to achieve full alignment and no change is considered necessary.
Green Building Design Guideline	Meets Guideline?
6.A.1: Solar energy systems should be an option to the homebuyer by the builder.	Conditionally. A condition of approval would require the developer to include, as part of the options package for buyers of single-family

6.A.2: For homes without solar energy systems, green roofs or cool roofs, roofing should include the following features: a) A minimum of 300 square feet of unobstructed roof area facing within 30 degrees of south. b) South facing sloped roofs should be at an angle of approximately 38 degrees.	houses in the subdivision, an option that offers pre-wiring of the house for photovoltaic (solar) panels.
6.A.3: The external design of homes should feature up to date energy efficiency technologies: a) For infill housing, homes without solar energy systems should be covered with a cool roof. b) Roof overhangs should be sized to block the high summer sun but allow the lower winter sun to enter windows.	Conditionally. The project is required to meet the Residential Mandatory Measures specified under the 2016 California Green Building Standards Code, Part 11. A condition of approval would be included requiring the developer to implement additional Residential Voluntary Measures, including cool roofs for reduction of heat island effect.
6.A.4: Deciduous trees of approved native species should be planted to the south and west of the home to shade the home during summer and allow solar heat gain during winter.	Yes. The proposed landscaping meets the standards set forth in PMC Section 18.84.310.
6.A.5: Secure and convenient storage for at least two bicycles should be provided.	Yes. The project would provide bicycle racks in each garage for secure parking.
6.A.6: Outdoor design and features should maximize landscaping water conservation.	Yes. The project would provide drought-tolerant landscaping and lawns would not be planted as a water conservation measure.



City of Pittsburg

Community Development Department – Planning Division

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

NOTICE OF PUBLIC HEARING

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

DATE: May 8, 2018
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP).

This is a public hearing on request for a recommendation for City Council approval of a 57-unit, single-family development on a 4.98-acre site located at 350 Central Avenue in the CS (Service Commercial) and RS-5 (Single-Family Residential) districts. Assessor's Parcel Nos. 086-160-009, -011, -012, and 086-151-001. The requested approvals include: 1) a General Plan map amendment to change the site's land use designation to 'Medium Density Residential'; 2) a zoning map amendment to rezone the site to PD (Planned Development) District; 3) a development agreement; 4) a vesting tentative map to subdivide the property; 5) design review of landscape and architectural plans; and 6) a tree removal permit.

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

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

Where can I get more information about this project?

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

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

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

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

JORDAN DAVIS, ACTING SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Liberty Residential Subdivision, AP-17-1229 (GP, RZ, SUBD, DA, DR, TRP)
Location: 350 Central Avenue, APNs: 086-160-009, -011, -012, and 086-151-001.



City of Pittsburg

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

NOTICE OF PUBLIC HEARING

**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

ITEM: Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR, DA).

ORIGINATED BY: Kevin Johnson on behalf of Diablo Energy Storage LLC, 5000 Hopyard Road, Suite #480, Pleasanton, CA 94588

SUBJECT: This is a continued public hearing on a request for a recommendation to City Council for: 1) adoption of an amendment to the existing 'Empire Business Park' Overlay Zoning District (Ord. No's. 07-1284 and 04-1214) to allow a "Major Utility" use subject to a use permit; 2) approval of a development agreement; 3) approval of a use permit for a Major Utility; and 4) 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.

RECOMMENDATION:

Staff recommends that the Planning Commission move to continue this public hearing to a date uncertain.

BACKGROUND:

Staff is recommending a continuance in order to allow additional time to finalize the draft development agreement.

PROJECT DESCRIPTION:

Not applicable.

GENERAL PLAN/CODE COMPLIANCE:

Public Notice: On or prior to March 16, 2018, notice of the March 27, 2018, public hearing was published in the East County Times; was posted at City Hall and on the "Public Notices" section of the City's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the facility, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.020 and Government Code sections 65091.

On March 27, 2018, the Planning Commission continued the public hearing to April 10, 2018. On April 10, 2018, the Planning Commission continued the public hearing to April

Planning Commission Staff Report

24, 2018. On April 24, 2018, the Planning Commission continued the public hearing to May 8, 2018.

Although not required, the May 8, 2018, continued public hearing was re-noticed, and as such, was posted at City Hall and on the "Public Notices" section of the City's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, to local service agencies expected to provide services to the facility, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.020 and Government Code sections 65091.

ANALYSIS:

Not applicable.

ACTION REQUIRED:

Move to continue the public hearing to a date uncertain.

ATTACHMENTS:

1. Public Hearing Notice

Prepared by: Jordan Davis, AICP, Acting Planning Manager



City of Pittsburg

Community Development Department – Planning Division

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

NOTICE OF PUBLIC HEARING

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

DATE: May 8, 2018
TIME: 7:00 p.m.
PLACE: City Council Chamber at City Hall
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR, DA).

This is a continued public hearing on a request for a recommendation to City Council for: 1) adoption of an amendment to the existing 'Empire Business Park' Overlay Zoning District (Ord. No's. 07-1284 and 04-1214) to allow a "Major Utility" use subject to a use permit; 2) approval of a development agreement; 3) approval of a use permit for a Major Utility; and 4) 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.

PROJECT PLANNER: Joan Lamphier, (415) 868-9093, or jlamphier@ci.pittsburg.ca.us

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

Where can I get more information about this project?

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

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

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

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

JORDAN DAVIS, AICP, ACTING SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: Diablo Energy Storage Project, AP-17-1270 (RZ, UP, DR, DA)
Location: 701 Willow Pass Road, APN: 085-280-010.



**CITY OF PITTSBURG
PLANNING COMMISSION
STAFF REPORT**

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

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

SUBJECT: The Zoning Administrator submits one notice of intent to exercise delegated design review authority for approval to remodel the exterior of, and add an additional 100 square feet to, an existing office building located at 295 E. Leland Road.

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.

Planning Commission Staff Report

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 an application requesting design review approval which qualifies within one or more of the nine categories of delegated authority established by Resolution No. 9918:

1. 295 E Leland Road – Dentist Office, AP-18-1334 (AD) – Delegated Design Review Category 6 (Additions to Existing Buildings).

This is an application filed by Jeron Chamberlain, on behalf of Marzieh Oghabian, DDS, requesting administrative design review approval to remodel the exterior of, and add an additional 100 square feet to, an existing office building located at 295 E. Leland Road, in the PD-1319 (Planned Development, City Council Ordinance No. 09-1319) District. Assessor's Parcel Number 088-183-012.

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:

Planning Commission Staff Report

Acknowledge receipt of the attached Notice of Intent.

ATTACHMENTS:

1. Notice of Intent: 295 E Leland Road – Dentist Office, AP-18-1334 (AD)

Prepared by: Jordan Davis, AICP, Acting Zoning Administrator

NOTICE OF INTENT

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

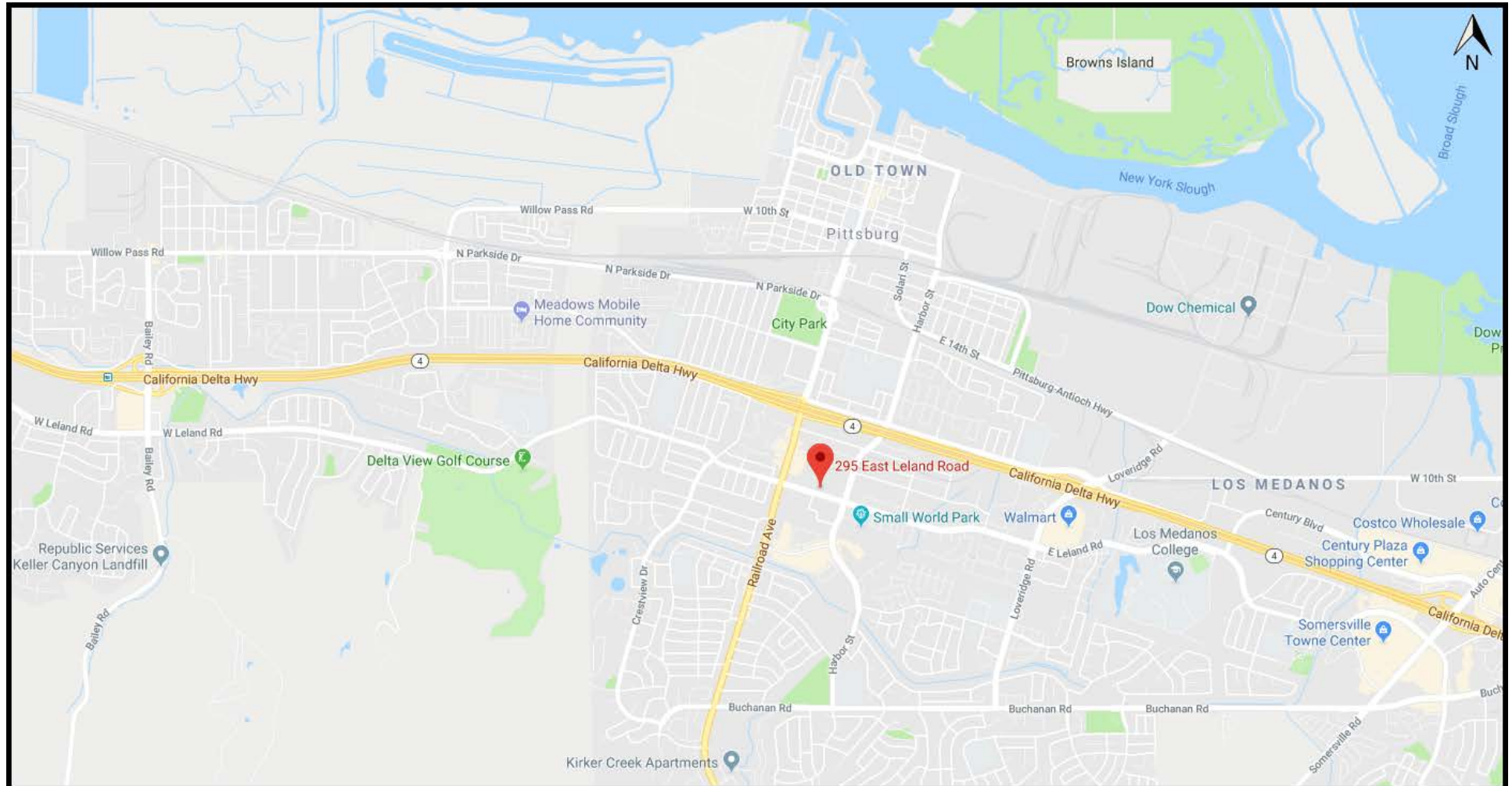
295 E Leland Road – Dentist Office, AP-18-1334 (AD).

This is an application filed by Jeron Chamberlain, on behalf of Marzieh Oghabian, DDS, requesting administrative design review approval to remodel the exterior of, and add an additional 100 square feet to, an existing office building located at 295 E. Leland Road, in the PD-1319 (Planned Development, City Council Ordinance No. 09-1319) District. Assessor's Parcel Number 088-183-012.

This project is delegated to staff under Category 6 (Additions to Existing Buildings) of Planning Commission Resolution No. 9918.

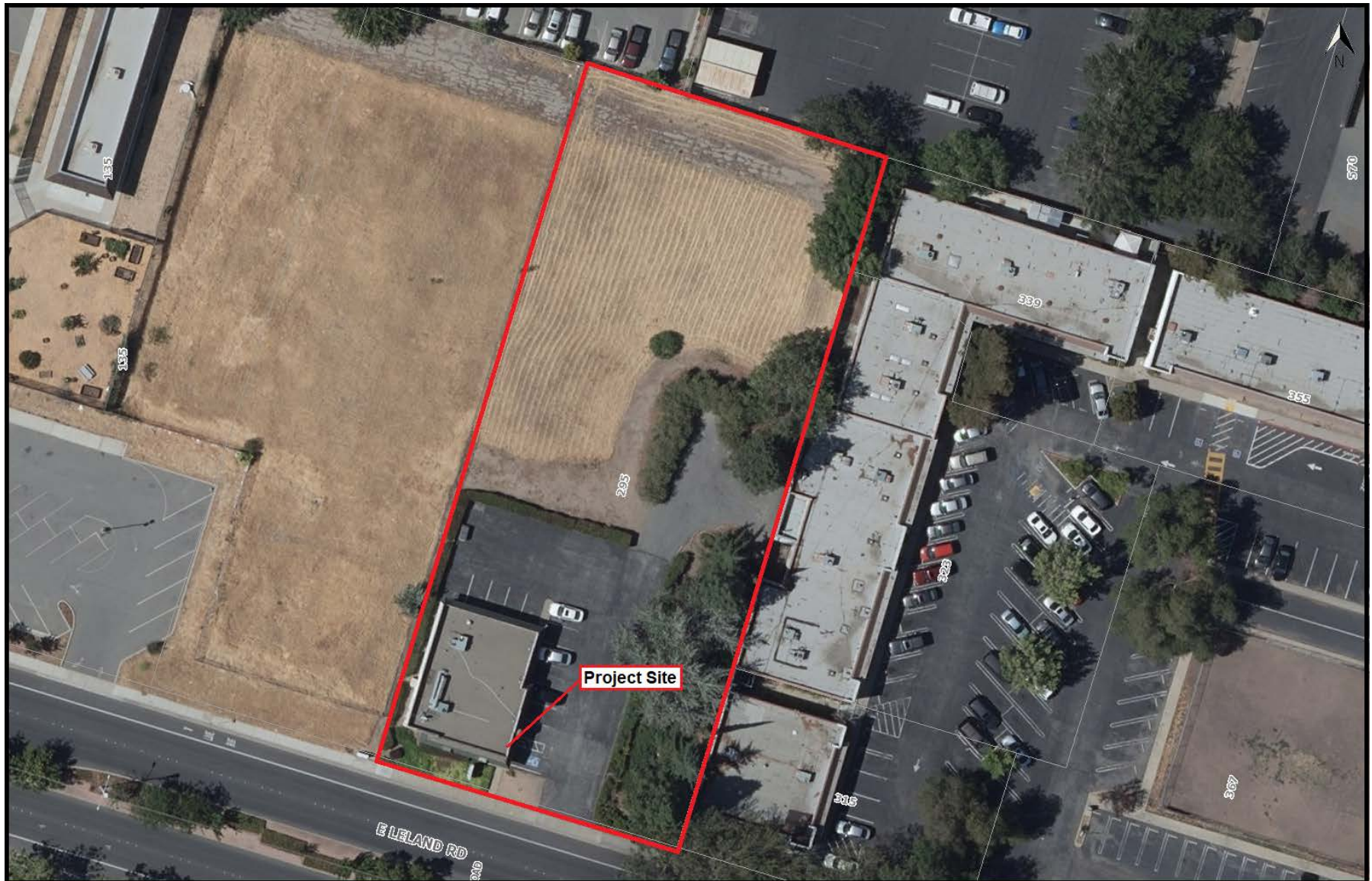
295 E. Leland – Dental Office – Vicinity Map

AP-18-1334	295 E. Leland Road
Administrative Design Review	APN: 088-183-012



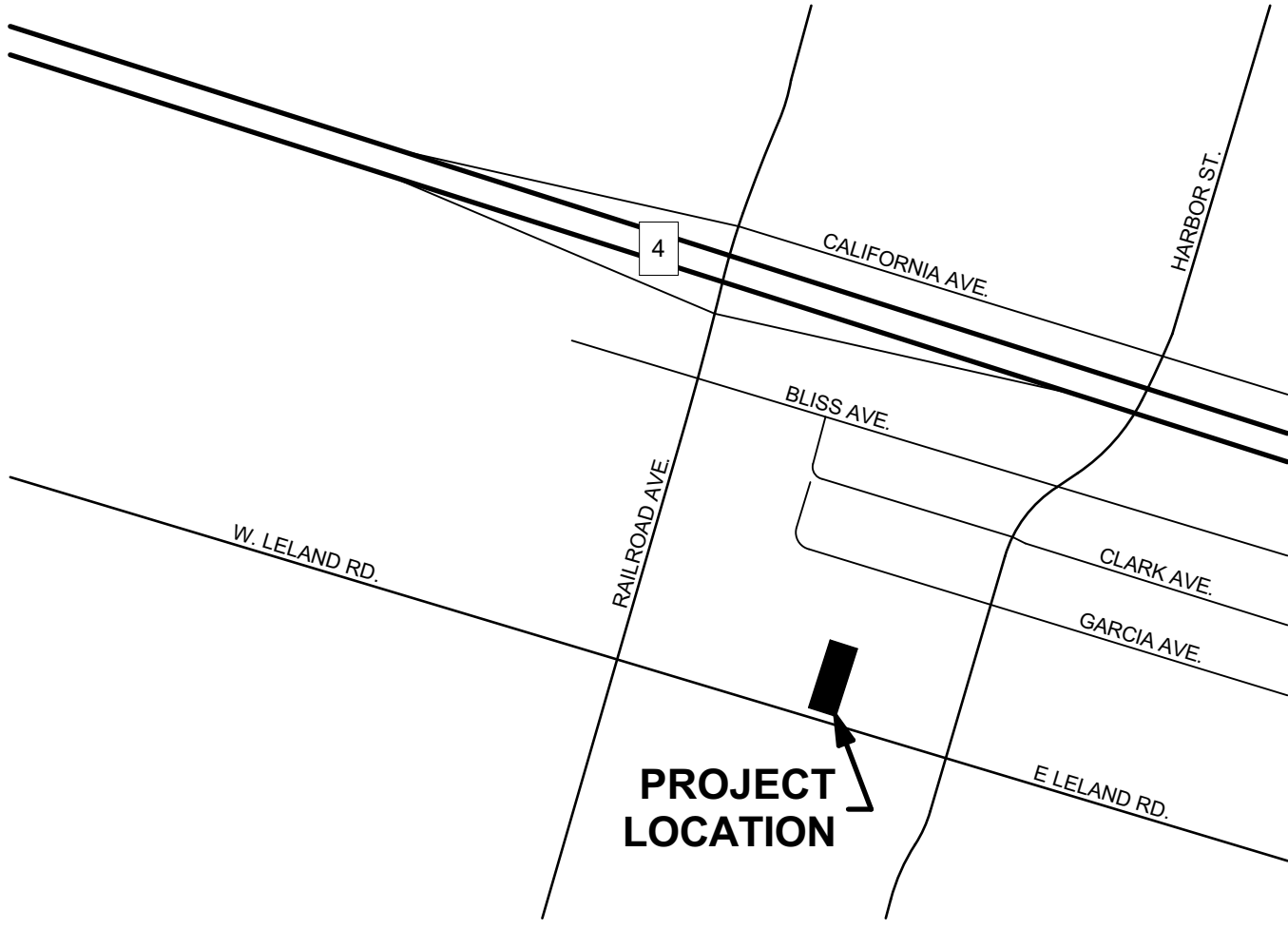
295 E. Leland – Dental Office – Aerial Map

AP-18-1334	295 E. Leland Road
Administrative Design Review	APN: 088-183-012



CALIFORNIA GREEN BUILDING REQUIREMENTS:

1. WHERE TENANT IMPROVEMENTS EXCEED THE VALUATION THRESHOLD OF \$200,000 THEY SHALL MEET THE REQUIREMENTS OF THE CALIFORNIA GREEN BUILDING CODE FOR ADDITIONS AND ALTERATIONS PER **C.G.C. 301.3**
2. DOCUMENTATION OF CONFORMANCE FOR APPLICABLE GREEN BUILDING MEASURES SHALL BE PROVIDED TO THE ENFORCING AGENCY PER **C.G.C. 102.3**
3. ALL NEW PLUMBING FIXTURES WILL MEET THE WATER USE REQUIREMENTS OF **C.G.C. 5.303 AS LISTED BELOW:**
A. SHOWER HEADS WILL HAVE FLOW RATE OF 2 GPM AT 80 PSI OR LESS
B. LAVATORY FAUCETS WILL HAVE FLOW RATE OF .5 GPM AT 60 PSI OR LESS
C. KITCHEN FAUCETS WILL HAVE FLOW RATE OF 1.8 GPM AT 60 PSI OR LESS
D. METERING FAUCETS WILL HAVE FLOW RATE OF .2 GALLONS PER CYCLE OR LESS
E. WATER CLOSETS WILL HAVE FLOW RATE OF 1.28 GALLONS PER FLUSH OR LESS
F. URINALS WILL HAVE A MAXIMUM FLOW RATE OF .125 GALLONS PER FLUSH FOR WALL MOUNTED AND .5 GALLONS PER FLUSH FOR FLOOR MOUNTED.
4. A MINIMUM OF 50 PERCENT OF THE NONHAZARDOUS CONSTRUCTION WASTE WILL BE RECYCLED AND/OR SALVAGED FOR REUSE OR MEET A LOCAL CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE, WHICHEVER IS MORE STRINGENT. **C.G.C. 5.408.1**
5. A CONSTRUCTION WASTE MANAGEMENT PLAN WILL BE SUBMITTED THAT AT A MINIMUM INCLUDES THE FOLLOWING INFORMATION PER **C.G.C. 5.408.1.1:**
A. IDENTIFIES THE CONSTRUCTION WASTE MATERIALS TO BE DIVERTED FROM DISPOSAL BY EFFICIENT USAGE, RECYCLING, REUSE ON THE PROJECT, OR SALVAGE FOR FUTURE USE OR SALE.
B. DETERMINES IF CONSTRUCTION WASTE MATERIALS WILL BE SORTED ON-SITE (SOURCE-SEPARATED) OR BULK MIXED (SINGLE STREAM).
C. IDENTIFIES DIVERSION FACILITIES WHERE CONSTRUCTION WASTE MATERIAL COLLECTED WILL BE TAKEN.
D. SPECIFIES THAT THE AMOUNT OF CONSTRUCTION WASTE MATERIALS DIVERTED SHALL BE CALCULATED BY WEIGHT OR VOLUME, BUT NOT BY BOTH.
6. THE CONTRACTOR OR OWNER MAY UTILIZE A WASTE MANAGEMENT COMPANY THAT CAN PROVIDE VERIFIABLE DOCUMENTATION THAT THE PERCENTAGE OF CONSTRUCTION WASTE MATERIAL DIVERTED FROM THE LANDFILL COMPLIES WITH THIS SECTION. **C.G.C. 5.408.1.2**
7. NON-RESIDENTIAL ADDITIONS AND ALTERATIONS SHALL REQUIRE VERIFICATION THAT UNIVERSAL WASTE ITEMS SUCH AS FLUORESCENT LAMPS AND BALLASTS AND MERCURY CONTAINING THERMOSTATS AS WELL AS OTHER CALIFORNIA PROHIBITED UNIVERSAL WASTE MATERIALS ARE DISPOSED OF PROPERLY AND ARE DIVERTED FROM LANDFILLS. THE FOLLOWING ARE CONSIDERED UNIVERSAL WASTES PER THE UNIVERSAL WASTES RULES:
A. BATTERIES NOT INCLUDING AUTOMOTIVE TYPE SPENT LEAD-ACID BATTERIES
B. THERMOSTATS THAT CONTAIN MERCURY
C. UNIVERSAL WASTE LAMP, INCLUDING BUT NOT LIMITED TO FLUORESCENT, HIGH INTENSITY DISCHARGE, NEON, MERCURY VAPOR, HIGH PRESSURE SODIUM, AND METAL HALIDE.
D. CATHODE RAY TUBE MATERIALS (A VACUUM TUBE OR PICTURE TUBE USED TO CONVERT AN ELECTRICAL SIGNAL INTO A VISUAL IMAGE)
8. IF NOT PROVIDED ON THE EXISTING SITE A READILY ACCESSIBLE AREA THAT SERVES THE ENTIRE BUILDING AND IS IDENTIFIED FOR THE DEPOSITING, STORAGE, AND COLLECTION OF NONHAZARDOUS MATERIALS FOR RECYCLING, INCLUDING (AT A MINIMUM) PAPER, CORRUGATED CARDBOARD, GLASS, PLASTICS AND METALS OR MEETING THE REQUIREMENTS OF A LAWFULLY ENACTED LOCAL RECYCLING ORDINANCE, IF MORE RESTRICTIVE, WILL BE INSTALLED. **C.G.C. 5.410.1**
9. A WRITTEN PLAN WILL BE DEVELOPED INCLUDING PROCEDURES FOR TESTING AND ADJUSTING SYSTEMS. SYSTEMS TO BE INCLUDED FOR TESTING AND ADJUSTING WILL INCLUDE, AS APPLICABLE TO THE PROJECT PER **C.G.C. 5.410.4.2:**
A. HVAC SYSTEMS AND CONTROLS
B. INDOOR AND OUTDOOR LIGHTING AND CONTROLS
C. WATER HEATING SYSTEMS
D. RENEWABLE ENERGY SYSTEMS
E. LANDSCAPE IRRIGATION SYSTEMS
F. WATER REUSE SYSTEMS
10. TESTING AND ADJUSTING PROCEDURES WILL BE PERFORMED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS AND APPLICABLE STANDARDS FOR EACH SYSTEM LISTED ABOVE. **C.G.C. 5.410.4.3**
11. IN ADDITION TO TESTING AND ADJUSTING, BEFORE A NEW SPACE-CONDITIONING SYSTEM SERVING A BUILDING OR SPACE IS OPERATED FOR NORMAL USE, THE SYSTEM WILL BE BALANCED IN ACCORDANCE WITH THE PROCEDURES DEFINED BY THE TESTING ADJUSTING AND BALANCING BUREAU NATIONAL STANDARDS; THE NATIONAL ENVIRONMENTAL BALANCING BUREAU PROCEDURAL STANDARDS; OR ASSOCIATED AIR BALANCE COUNCIL NATIONAL STANDARDS OR AS APPROVED BY THE ENFORCING AGENCY. **C.G.C. 5.410.4.3.1**
12. AFTER COMPLETION OF TESTING, ADJUSTING AND BALANCING, A FINAL REPORT OF TESTING SIGNED BY THE INDIVIDUAL RESPONSIBLE FOR PERFORMING THESE SERVICES WILL BE PROVIDE. **C.G.C. 5.410.4.4**
13. AN OPERATION AND MAINTENANCE (O&M) MANUAL WILL BE PROVIDED TO THE BUILDING OWNER OR REPRESENTATIVE WITH DETAILED OPERATING AND MAINTENANCE INSTRUCTIONS AND COPIES OF GUARANTIES/WARRANTIES FOR EACH SYSTEM. O&M INSTRUCTIONS SHALL BE CONSISTENT WITH OSHA REQUIREMENTS IN CCR, TITLE 8, SECTION 5142, AND OTHER RELATED REGULATIONS. **C.G.C. 5.410.4.5**
14. A COPY OF ALL INSPECTION VERIFICATIONS AND REPORTS REQUIRED BY THE ENFORCING AGENCY WILL BE PROVIDED TO THE OWNER UPON COMPLETION OF THE PROJECT. **C.G.C. 5.410.4.5.1**
15. THE PERMANENT HVAC SYSTEM WILL ONLY BE USED DURING CONSTRUCTION IF NECESSARY TO CONDITION ADDITIONS OR AREAS OF ALTERATION WITHIN THE REQUIRED TEMPERATURE RANGE FOR MATERIAL AND EQUIPMENT INSTALLATION. IF THE HVAC SYSTEM IS USED DURING CONSTRUCTION, RETURN AIR FILTERS WITH A MINIMUM EFFICIENCY REPORTING VALUE (MERV) OF 8, BASED ON ASHRAE 52.2-1999, OR AN AVERAGE EFFICIENCY OF 30 PERCENT BASED ON ASHRAE 52.1-1992 WILL BE USED. ALL FILTERS WILL BE REPLACED IMMEDIATELY PRIOR TO OCCUPANCY, OR, IF THE BUILDING IS OCCUPIED DURING ALTERATION, AT THE CONCLUSION OF CONSTRUCTION. **C.G.C. 5.504.1.3**
16. AT THE TIME OF ROUGH INSTALLATION AND DURING STORAGE ON THE CONSTRUCTION SITE UNTIL FINAL STARTUP OF THE HEATING, COOLING AND VENTILATING EQUIPMENT, ALL DUCT AND OTHER RELATED AIR DISTRIBUTION COMPONENT OPENINGS WILL BE COVERED WITH TAPE, PLASTIC, SHEET METAL OR OTHER METHODS ACCEPTABLE TO THE ENFORCING AGENCY TO REDUCE THE AMOUNT OF DUST, WATER AND DEBRIS WHICH MAY ENTER THE SYSTEM. **C.G.C. 5.504.3**
17. ALL FINISHES, ADHESIVES, SEALANTS, CAULKS, PAINTS, COATINGS, CARPET SYSTEMS AND COMPOSITE WOOD PRODUCTS SHALL MEET THE VOC AND FORMALDEHYDE LIMITS OF **C.G.C. 5.504**
18. IN MECHANICALLY VENTILATED BUILDINGS, REGULARLY OCCUPIED AREAS OF THE BUILDING WILL BE PROVIDED WITH AIR FILTRATION MEDIA FOR OUTSIDE AND RETURN AIR THAT PROVIDE AT LEAST A MINIMUM EFFICIENCY REPORTING VALUE (MERV) OF 8. MERV 8 FILTERS WILL BE INSTALLED AFTER ANY FLUSH-OUT OR TESTING AND PRIOR TO OCCUPANCY, AND RECOMMENDATIONS FOR MAINTENANCE WITH FILTERS OF THE SAME VALUE WILL BE INCLUDED IN THE OPERATION AND MAINTENANCE MANUAL. **C.G.C. 5.504.5.3**



VICINITY MAP
NOT TO SCALE

FIRE NOTES:

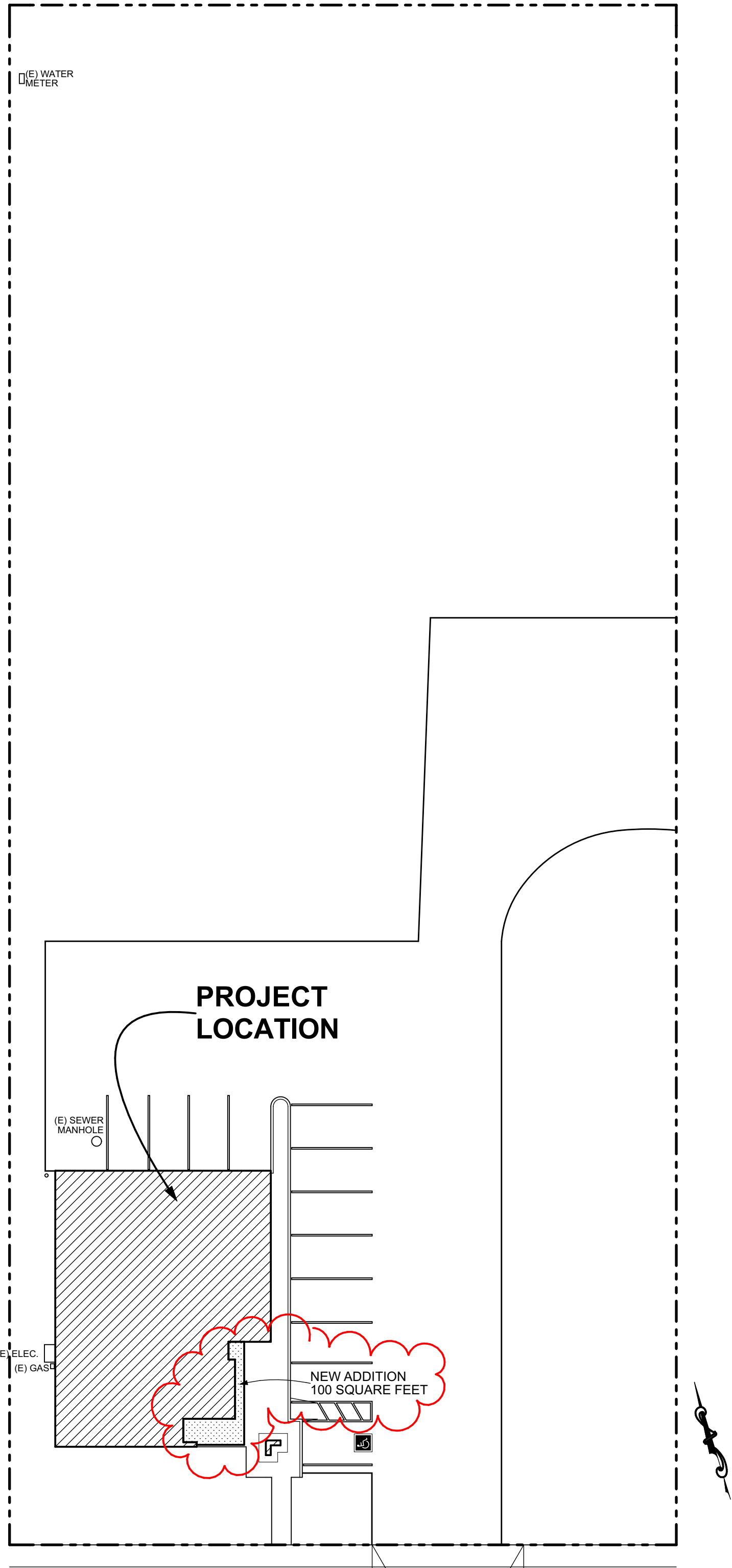
1. NEW AND EXISTING BUILDINGS SHALL BE PROVIDED WITH APPROVED ADDRESS IDENTIFICATION. BUILDING THE ADDRESS IDENTIFICATION SHALL BE LEGIBLE AND PLACED IN A POSITION THAT IS VISIBLE FROM THE THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS IDENTIFICATION CHARACTERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. NUMBERS SHALL NOT BE SPELLED OUT. EACH CHARACTER SHALL BE NOT LESS THAN 4 INCHES HIGH WITH A STROKE WIDTH OF 1/2 INCH. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, ADDRESS IDENTIFICATION SHALL BE PROVIDED IN ADDITIONAL APPROVED LOCATIONS TO FACILITATE EMERGENCY RESPONSE. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. NUMBERS SHALL BE A MINIMUM OF 4 INCHES HIGH WITH A MINIMUM STROKE WIDTH OF 1/2 INCH. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED **C.F.C. 505.1**
2. ONE CLASS 2-A FIRE EXTINGUISHER IS REQUIRED. IT SHALL NOT BE OBSTRUCTED FROM VIEW, AND IT SHALL BE PROPERLY INSTALLED IN ACCORDANCE WITH THE CALIFORNIA FIRE CODE.

	Accessible Path of Travel Elements (Priority should be given to elements providing the greatest access, in the following order)	Is this existing element accessible or an equivalent facilitation? (Yes, No or N/A)	Is the element being made accessible? (Yes, No or N/A)	What is the cost of making the element accessible? (in dollars)
1	Accessible Entrance (door hardware, landings, thresholds, etc)	YES		
2	Accessible Route of Travel to the Area of Alteration, Structural Repair or Addition	NO	YES	\$15,000
3	Accessible Restrooms for each sex	NO	YES	\$20,000
4	Accessible Public Telephone(s)	N/A		
5	Accessible Drinking Fountain(s)	N/A		
6	Other Accessible Elements such as Parking, Storage, Alarms, etc.	NO	YES	\$25,000
Total cost of providing accessible path of travel features for this Project:				\$60,000
Adjusted Construction Cost of Project: Note: The cost of alterations to path of travel elements above shall not be included in the adjusted construction cost.				\$288,990.00
Compliance Cost Percentage: Note: Minimum 20% required, regardless of unreasonable hardship determination.				21%
The 2017 adjusted Valuation Threshold as determined by DSA in the state of California is \$156,162.00.				
x The owner/agent for this project at the above referenced property does hereby attest that ALL existing path of travel features in Section 11B-202.4 will meet current CBC 11B.				
The total adjusted construction cost of this project is less than the current Valuation Threshold, and a minimum of 20% of the adjusted construction cost will be spend to provide Section 11B-202.4 compliance to the existing path of travel to the greatest extent possible.				
The full cost of compliance for the required accessible elements in Section 11B-202.4 creates an unreasonable hardship, and therefore this project is requesting an unreasonable hardship determination.				

I attest that the cost/valuation estimates in this request are reasonable, accurate and true. I also agree to allocate the necessary expenditures to construct all accessible features as described in this project.

Signature
Print Name
for Westridge Builders

Date
Title



EAST LELAND ROAD
EXISTING SITE PLAN

SCALE: 1" = 20'

SCOPE OF WORK: THIS SCOPE OF WORK IS FOR A NEW DENTAL OFFICE TENANT IMPROVEMENT. THIS SCOPE OF WORK WILL TAKE PLACE IN AN EXISTING BUILDING WHICH WILL BE VACANT AT THE TIME OF CONSTRUCTION.

DEMOLITION: THE DEMOLITION SCOPE OF WORK INCLUDES DEMOLITION OF ALL NON-STRUCTURAL WALLS, ELECTRICAL, HVAC DUCTING, PLUMBING, AND CABINETRY, AS SHOWN ON SHEET A-4.

ARCHITECTURAL: THIS SCOPE OF WORK INCLUDES ALL NEW WALLS AND CEILINGS AS SHOWN ON SHEET A-5 AND E-3. ALL WALLS AND HARD LID CEILINGS ARE CONSTRUCTED OF 20 GAGE METAL STUDS. ALL NEW WALLS AND CEILINGS ARE NON-STRUCTURAL.

ADDITION: WE WILL BE ADDING SQUARE FEET TO THE BUILDING BY RECONFIGURING THE STORE FRONT. WE WILL ALSO BE ADDING THREE WINDOWS THROUGH THE EXISTING BLOCK WALL. SEE SHEETS A-4 THROUGH A-7.

ELECTRICAL: THE EXISTING MAIN SERVICE TO THE BUILDING IS A 400 AMP SINGLE PHASE SERVICE 120/240V IN A CABINET ACCESSED FROM OUTSIDE THE BUILDING. ALL OTHER ELECTRICAL IS NEW AS SHOWN ON SHEETS E-1 THROUGH E-6.

PLUMBING/AIR AND VACUUM: THE EXISTING PLUMBING SERVICES CONSIST OF A 1 1/4" WATER LINE AND A 4" SEWER LINE TERMINATING WITHIN THE BUILDING. ALL OF THE EXISTING GAS LINES WILL REMAIN EXCEPT WHERE RELOCATION IS NECESSARY TO ACCOMODATE THE FLOOR PLAN CHANGES. ALL OTHER PLUMBING IS NEW AS SHOWN ON SHEETS P-1 THROUGH P-5.

NITROUS OXIDE AND OXYGEN: THERE ARE NO MEDICAL GAS SYSTEMS INSTALLED IN THIS TENANT IMPROVEMENT.

MECHANICAL: THIS SCOPE OF WORK INCLUDES (2) NEW 4 TON HVAC UNITS, NEW DUCTING, AND NEW VENTILATION FANS, AS SHOWN ON SHEETS M-1 THROUGH M-4.

THERE ARE TO BE NO HAZARDOUS MATERIALS USED, STORED, OR TRANSPORTED WITHIN THIS BUILDING

BUILDING OCCUPANCY GROUP:B
TYPE OF CONSTRUCTION:V-B
STORIES:1
SPRINKLERED:NO
OCCUPANCY LOAD:1 PER 100 SQ. FT. =24

100 SQ. FT. ADDITION
2,347 SQ. FT. DENTAL OFFICE TOTAL

2016 CALIFORNIA BUILDING CODE
2016 CALIFORNIA ELECTRICAL CODE
2016 CALIFORNIA MECHANICAL CODE
2016 CALIFORNIA PLUMBING CODE
2016 CALIFORNIA FIRE CODE
2016 CALIFORNIA ENERGY CODE
2016 CALIFORNIA GREEN BUILDING STANDARDS CODE

SHEET SCHEDULE

- A-1 COVER SHEET
A-1.1 CAL GREEN
A-2 PATH OF TRAVEL
A-3 ACCESSIBILITY
A-4 DEMOLITION PLAN
A-5 FLOOR PLAN
A-6 EXISTING ELEVATIONS
A-7 NEW ELEVATIONS
E-1 ELECTRICAL PLAN
E-2 ELECTRICAL TITLE 24
E-3 LIGHTING/REFLECTED CEILING PLAN
E-4 LIGHTING TITLE 24
M-1 HVAC PLAN & EQUIPMENT SCHEDULE
M-2 HVAC TITLE 24
M-3 HVAC TITLE 24
M-4 HVAC TITLE 24
P-1 COLD/HOT WATER LINE PLAN
P-2 DRAIN LINE PLAN
P-3 AIR/VACUUM LINE PLAN
P-4 TRENCHING PLAN
P-5 GAS LINE PLAN

REVISED 8-21-17 JC

REVISED 4/16/18 JC

COVER SHEET

Marzieh Oghabian, DDS
295 East Leland Road
Pittsburg, California 94565

6340 Wells Avenue
Loomis, California 95650
PHONE: (916) 660-9919
CONTRACTORS LIC. 528562
westridgebuilders@yahoo.com



DATE: 7/25/17

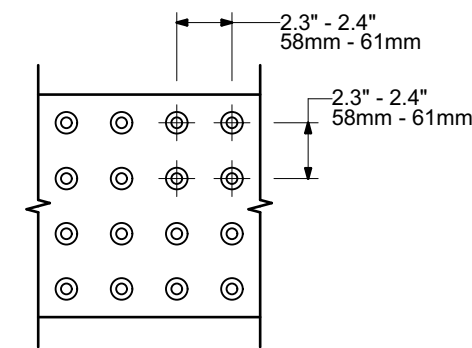
SCALE: AS SHOWN

DRAWN BY:
JC

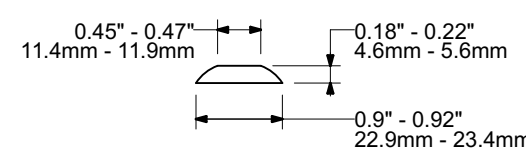
TOTAL SHEETS: 21

A-1

TYP. ACCESSIBLE DOOR THRESHOLD DETAIL
SCALE 6"=1'-0"

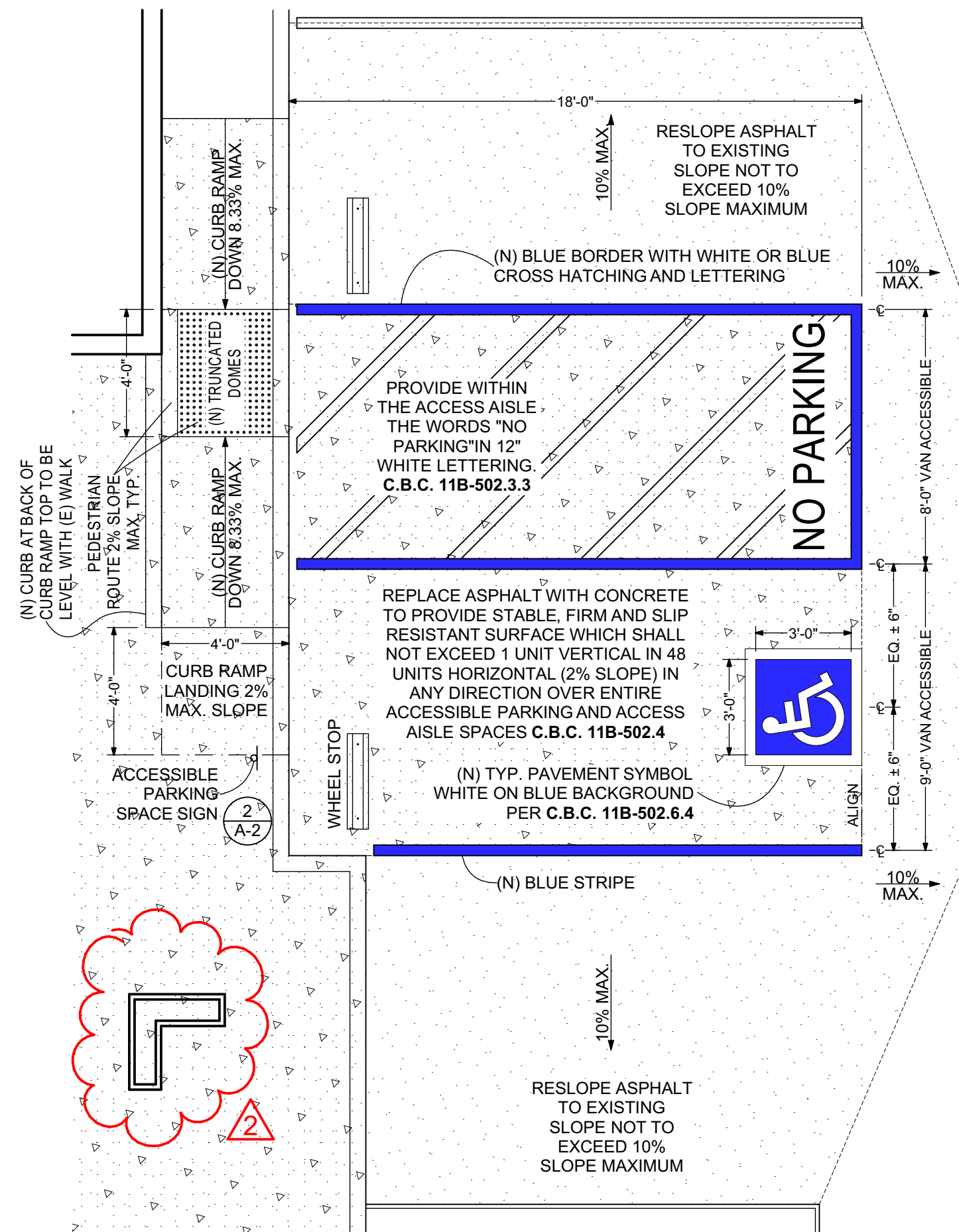


DOME SPACING

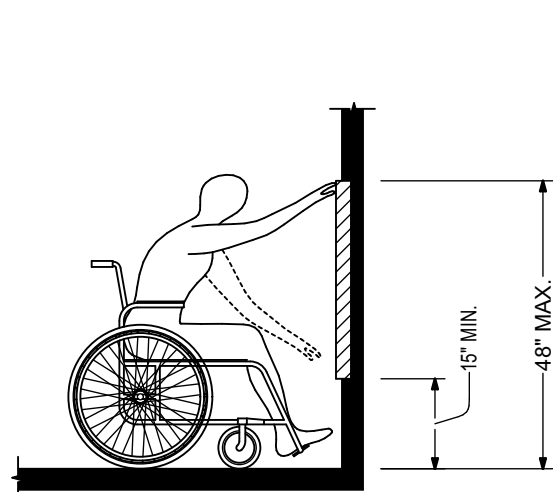


DOME SECTION

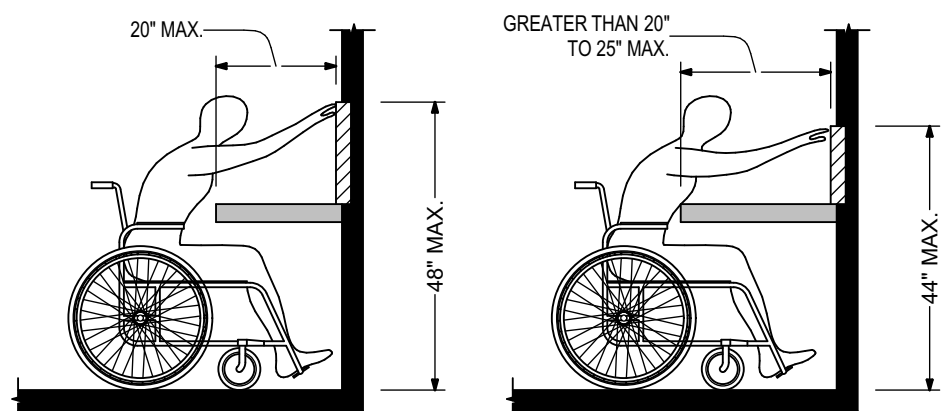
DETECTABLE WARNING
/TRUNCATED DOME DETAIL



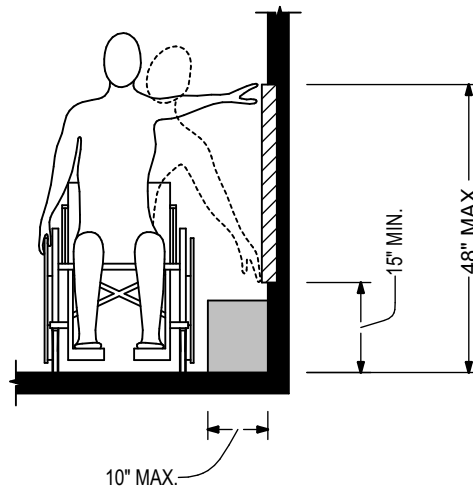
1
A-2
ACCESSIBLE PARKING DETAIL
SCALE: 1/4" = 1'-0"



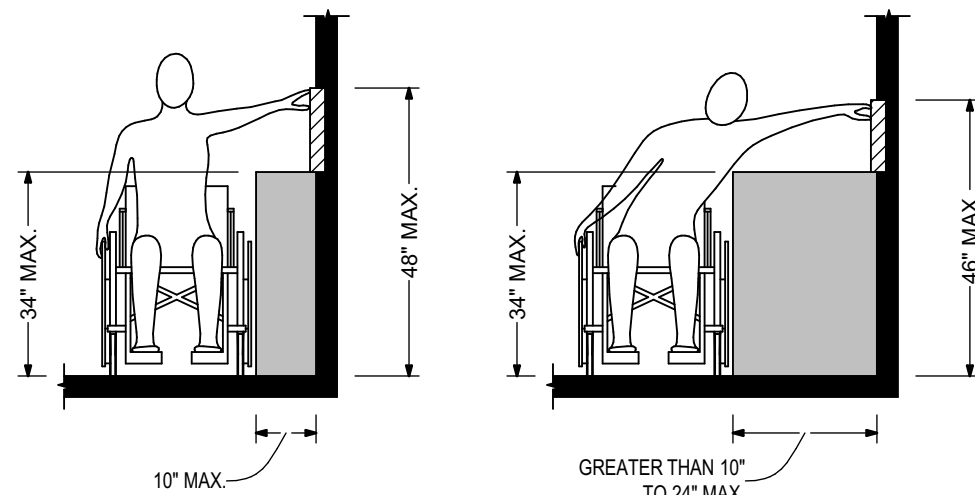
UNOBSTRUCTED FORWARD REACH c.B.C. 11B-308.2.1



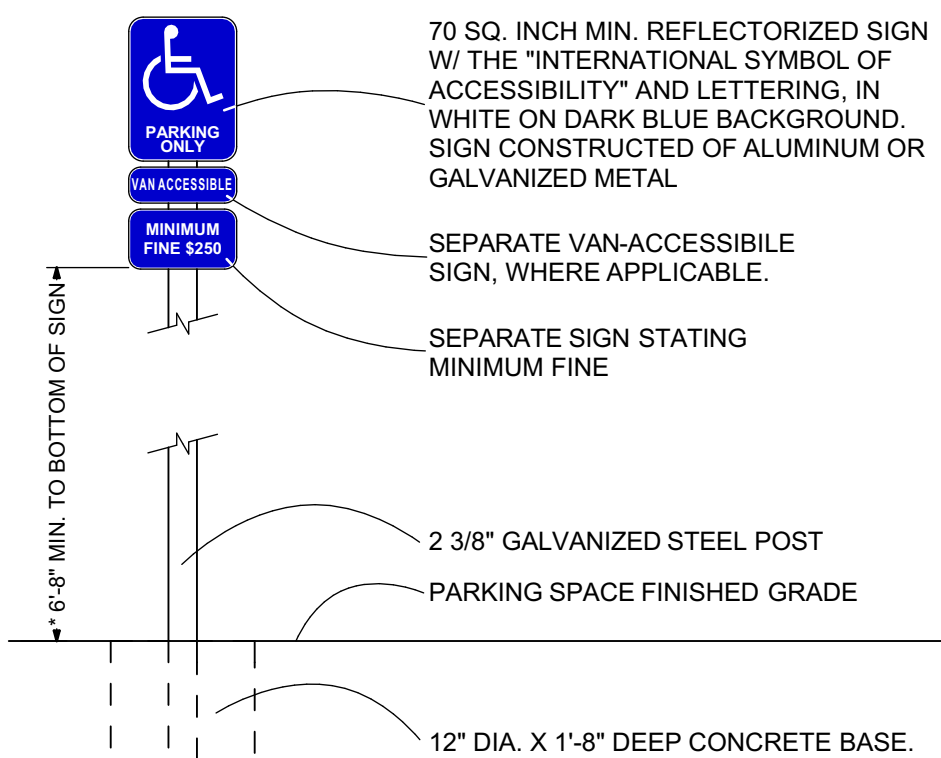
OBSTRUCTED HIGH FORWARD REACH c.B.C. 11B-308.2.2



UNOBSTRUCTED SIDE REACH c.B.C. 11B-308.3.1

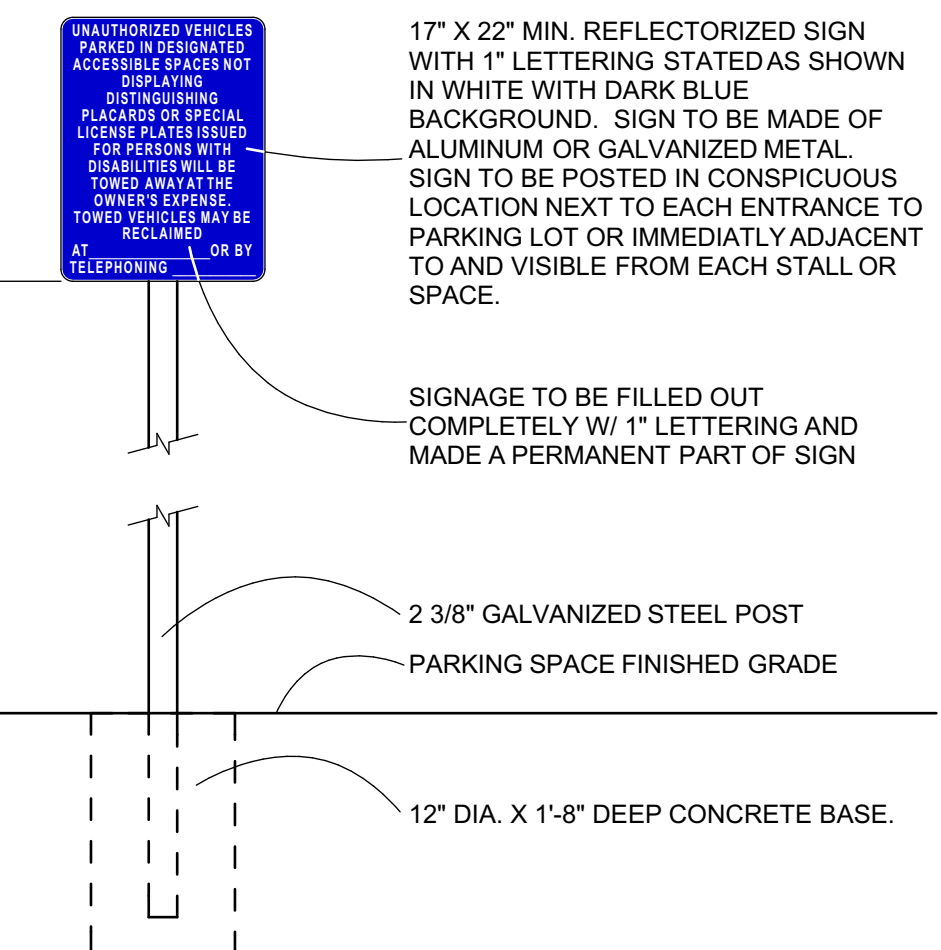


OBSTRUCTED HIGH SIDE REACH c.B.C. 11B-308.3.2



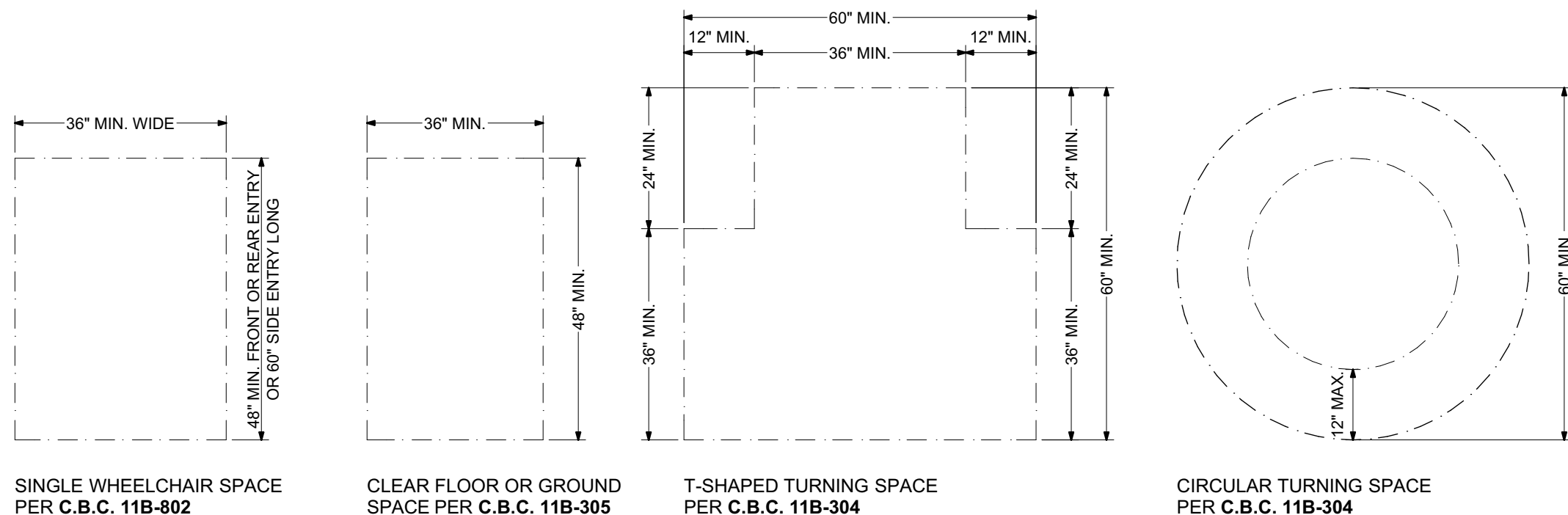
NOTE:
SIGN TO BE CENTERED ON THE INTERIOR END OF THE PARKING SPACE AREA AND MOUNTED ON A POST AS SHOWN OR ON A WALL. SIGN TO MOUNTED SO AS NOT TO BE OBTSCURED BY A VEHICLE PARKED IN THE SPACE. SIGN TO BE MINIMUM OF 70 SQ. IN. AND DESIGNATE FOR VAN-ACCESSIBLE IN ACCORDANCE WITH C.B.C. 11B-502.6 WHERE REQUIRED
* 80" MIN. SIGN HEIGHT (FROM FINISH FLOOR OR GROUND TO BOTTOM OF SIGN) REQUIRED ONLY WHEN SIGN IS IN PATH OF TRAVEL, 60" MIN. MOUNTING HEIGHT OTHERWISE

2
A-2
ACCESSIBLE PARKING
SPACE SIGN SCALE: 3/4" = 1'-0"

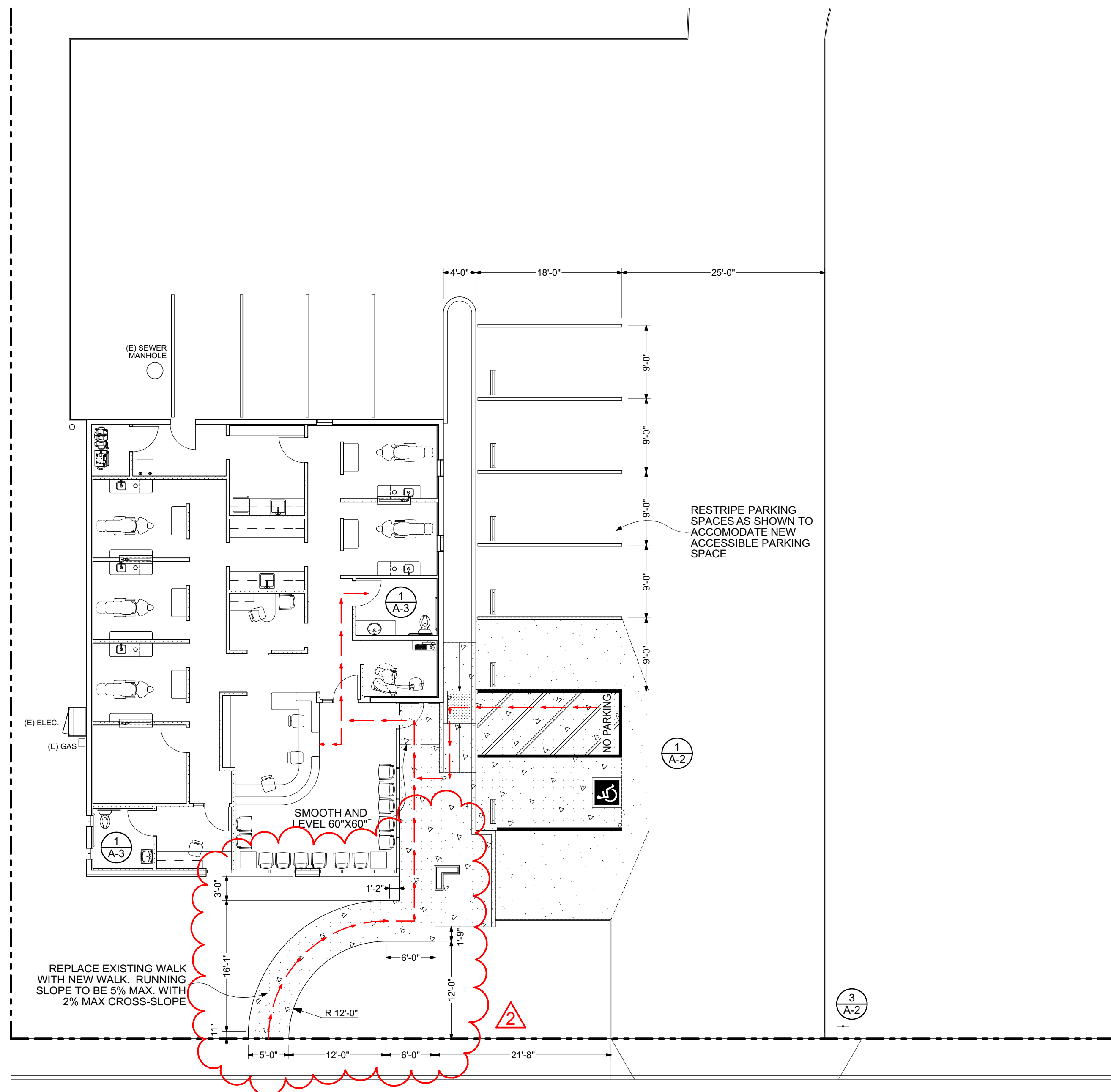


3
A-2
ACCESSIBLE PARKING
DRIVEWAY ENTRY SIGN
SCALE: 3/4" = 1'-0"

- NOTES:
1. THE FLOOR OR GROUND SURFACES OF CLEAR FLOOR SPACES, WHEEL CHAIR SPACES AND TURNING SPACES SHALL BE LEVEL (1:48 SLOPE MAX.)
 2. DOORS SHALL BE PERMITTED TO SWING INTO TURNING SPACES BUT NOT CLEAR FLOOR SPACES OR WHEEL CHAIR SPACES, EXCEPT WITHIN RESTROOMS THE DOOR SWING MAY ENCR OACH INTO THE TURNING SPACE BY 12" MAX. AND IN SINGLE USER RESTROOMS DOORS MAY SWING THROUGH CLEAR SPACES WHERE A 30" X 48" CLEAR FLOOR SPACE CAN BE PROVIDED BEYOND THE DOOR SWING.
 3. CLEAR FLOOR AND TURNING SPACES MAY INCLUDE KNEE AND TOE CLEARANCE.
 4. CLEAR FLOOR AND TURNING SPACES MAY OVERLAP OTHER CLEAR SPACES BUT WHEELCHAIR SPACES MAY NOT OVERLAP CIRCULATION PATHS.



ACCESSIBLE CLEAR SPACES SCALE: 1/2" = 1'-0"



EAST LELAND ROAD
ACCESSIBLE PATH OF TRAVEL
SCALE: 1" = 10'

LEGEND

ACCESSIBLE
PATH OF TRAVEL

REVISED 8-21-17 JC

REVISED 4/16/18 JC

PATH OF TRAVEL

Marzieh Oghabian, DDS
295 East Leland Road
Pittsburg, California 94565

6340 Wells Avenue
Loomis, California 95650
PHONE: (916) 660-9919
CONTRACTORS LIC. 528562
westridgebuilders@yahoo.com

Westridge
Builders,
Inc.

DATE: 7/25/17

SCALE: AS SHOWN

DRAWN BY:
JC

TOTAL SHEETS: 21

A-2

1
2

REVISED 8-21-17 JC
REVISED 4/16/18 JC

DEMOLITION PLAN

Marzieh Oghabian, DDS
295 East Leland Road
Pittsburg, California 94565

6340 Wells Avenue
Loomis, California 95650
PHONE: (916) 660-9919
CONTRACTORS LIC. 528562
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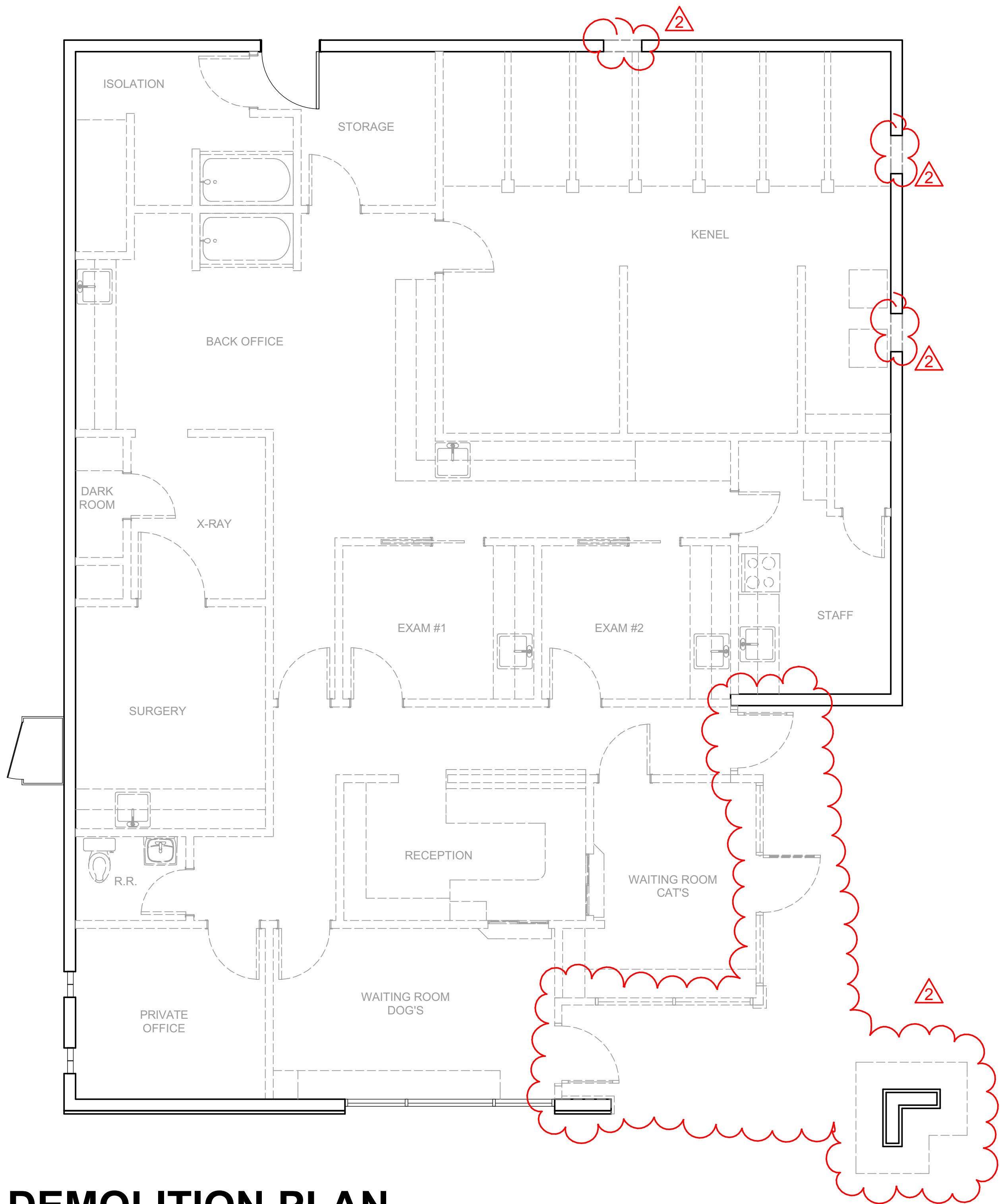
DATE: 7/25/17
SCALE: AS SHOWN
DRAWN BY:
JC
TOTAL SHEETS: 21

A-4

DEMOLITION
NOTES

- 1. REMOVE ALL MATERIALS DOWN TO ROUGH FRAME
- 2. REMOVE ALL ELECTRICAL
- 3. REMOVE OR CAP AND ABANDON ALL PLUMBING
- 4. REMOVE ALL INTERIOR DUCT WORK AND HVAC VENTILATION MATERIALS AS WELL AS UNITS ON ROOF.

----- ITEMS TO BE DEMOLISHED

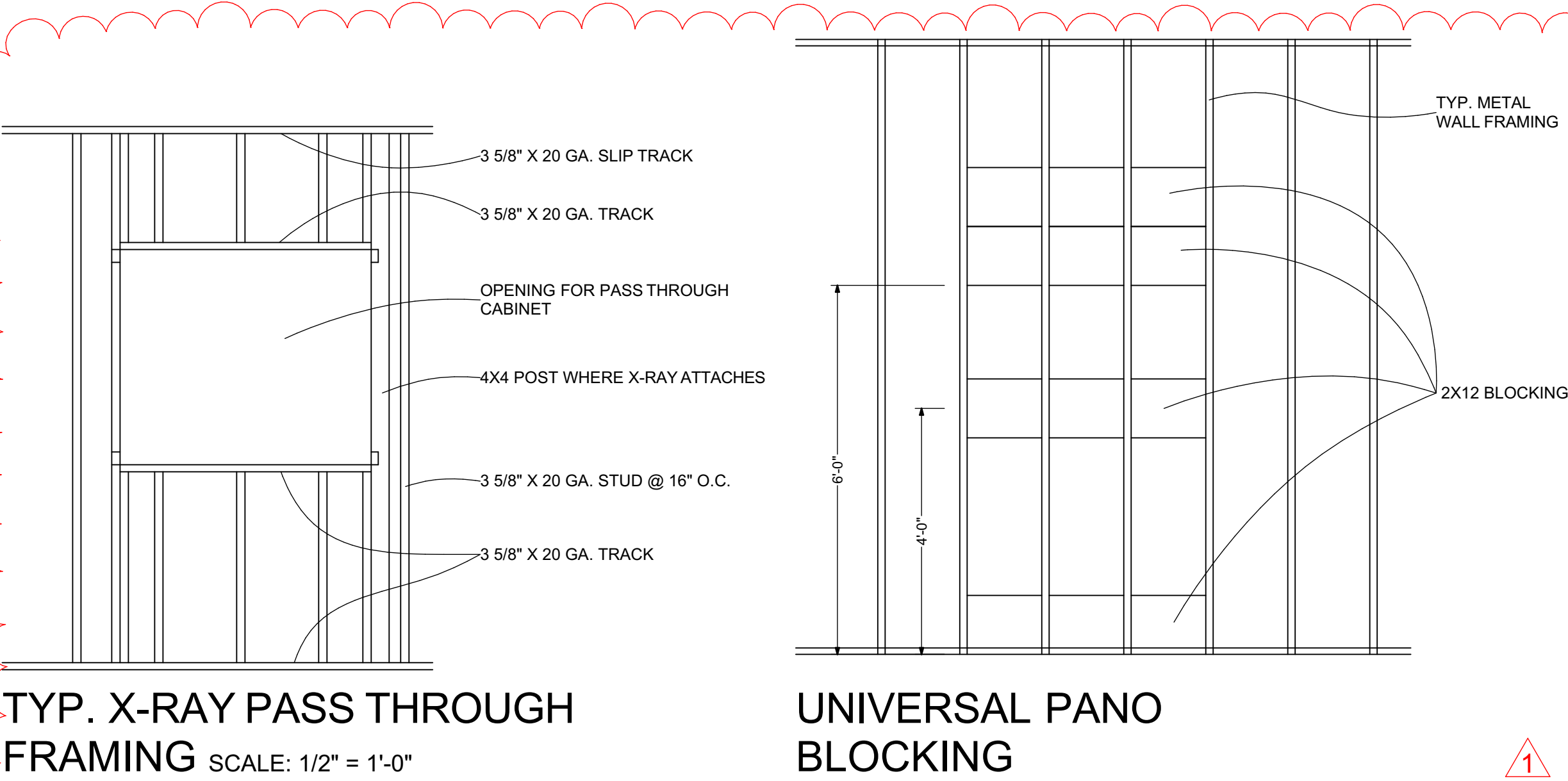


DEMOLITION PLAN

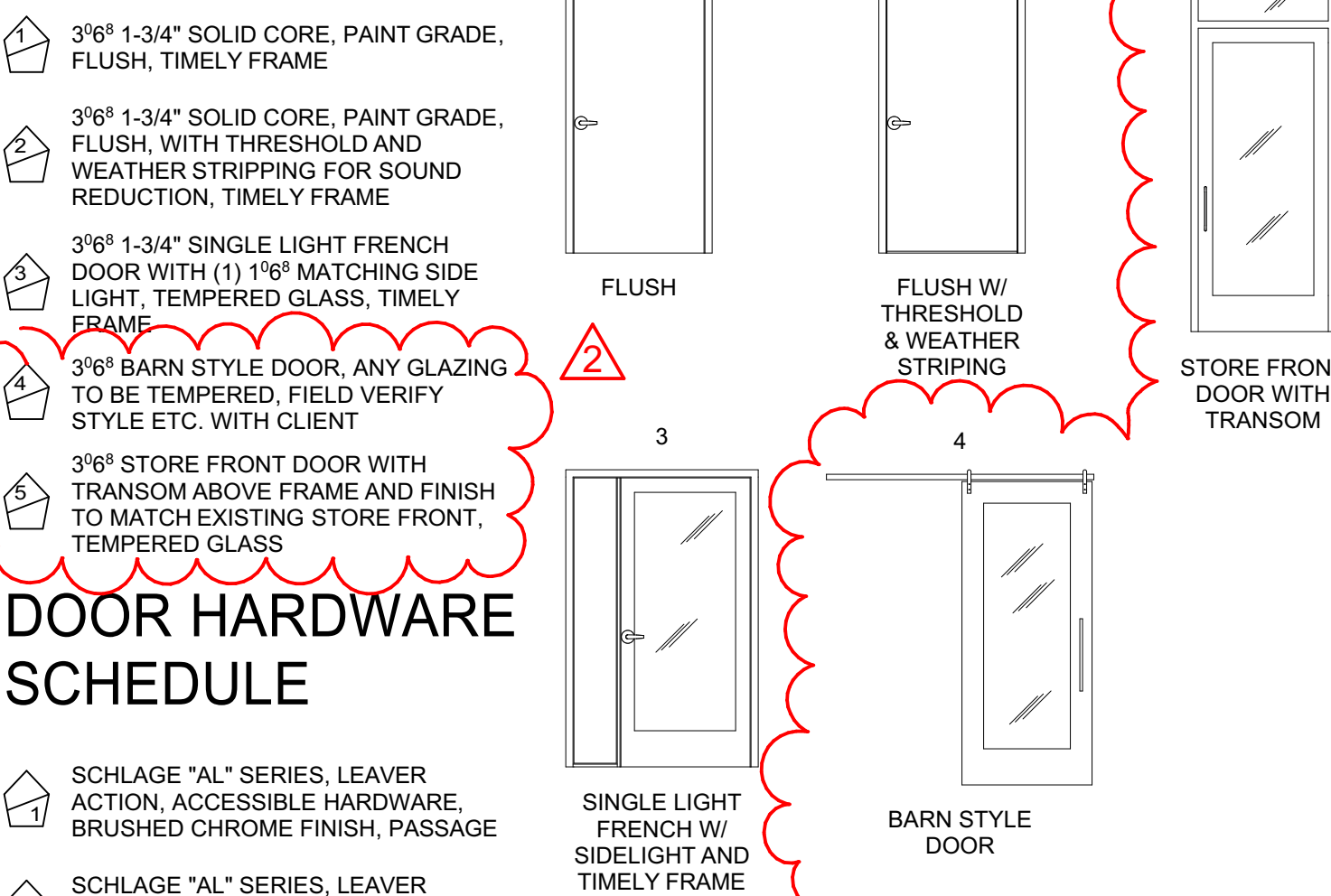
SCALE: 1/4" = 1'-0"

FLOOR PLAN NOTES

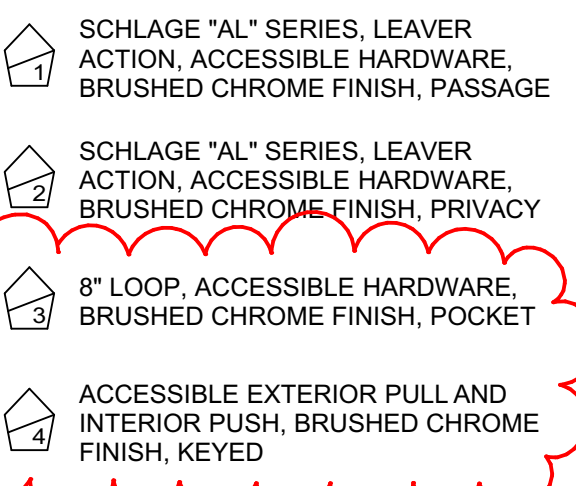
- DOORS**
1. ALL NEW DOORS TO COMPLY WITH ALL EGRESS AND ACCESSIBILITY REQUIREMENTS OF **C.B.C. 1010 & 11B-404**
2. ALL BUILDING AND FACILITY ENTRANCES THAT ARE ACCESSIBLE TO AND USABLE BY PERSONS WITH DISABILITIES SHALL BE IDENTIFIED WITH A MINIMUM OF ONE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND WITH ADDITIONAL DIRECTIONAL SIGNS, UTILIZING THE SYMBOL, AT JUNCTIONS WHERE THE ACCESSIBLE ROUTE OF TRAVEL DIVERGES FROM THE REGULAR CIRCULATION PATH. TO BE VISIBLE TO PERSONS ALONG APPROACHING CIRCULATION PATHS. IN EXISTING BUILDINGS AND FACILITIES, ENTRANCES WHICH ARE NOT ACCESSIBLE SHALL HAVE DIRECTIONAL SIGNAGE COMPLYING WITH **C.B.C. 11B-703.5**, WHICH INDICATES THE LOCATION OF THE ACCESSIBLE ROUTE TO THE NEAREST ACCESSIBLE ENTRANCE., PER **C.B.C. 11B-216.6**
3. PROVIDE TACTILE EXIT SIGN AT ENTRANCE IN ACCORDANCE WITH **C.B.C. 1013.4**
4. IN BUILDINGS IN OCCUPANCY GROUP B, THE MAIN DOOR OR DOORS ARE PERMITTED TO BE EQUIPPED WITH KEY-OPERATED LOCKING DEVICES FROM THE EGRESS SIDE PROVIDED:
- THE LOCKING DEVICE IS READILY DISTINGUISHABLE AS LOCKED;
- A READILY VISIBLE DURABLE SIGN IS POSTED ON THE EGRESS SIDE ON OR ADJACENT TO THE DOOR STATING: *THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED.* THE SIGN SHALL BE IN LETTERS 1 INCH HIGH ON A CONTRASTING BACKGROUND; AND
- THE USE OF THE KEY-OPERATED LOCKING DEVICE IS REVOKABLE BY THE *BUILDING OFFICIAL* FOR DUE CAUSE. **C.B.C. 1010.1.3 (2)**
5. EXIT DOORWAY(S) ARE TO BE A MINIMUM OF 3' IN WIDTH, 6'-8" IN HEIGHT, OPEN A MINIMUM OF 90 DEGREES, AND CLEAR WIDTH OF DOORWAY IS 32" MINIMUM, MEASURED BETWEEN THE FACE OF THE DOOR AND THE STOP WITH THE DOOR OPEN 90 DEGREES. OPENINGS MORE THAN 24" DEEP SHALL PROVIDE A CLEAR OPENING WIDTH OF 36" MIN. THERE SHALL BE NO PROJECTIONS INTO THE CLEAR OPENING WIDTH LOWER THAN 34" IN HEIGHT. FROM 34" IN HEIGHT TO 80" IN HEIGHT PROJECTIONS MAY NOT BE MORE THAN 4". **C.B.C. 1010.1.1 & 11B-404.2.3**
6. MANEUVERING CLEARANCES SHALL BE PROVIDED AT DOORS PER **C.B.C. 11B-404** AS SHOWN ON FLOOR PLAN
7. FLOORS OR LANDINGS AT DOORS SHALL NOT BE MORE THAN 1/2" LOWER THAN THE THRESHOLD OF THE DOORWAY. CHANGES IN LEVEL OF 1/4" HIGH MAXIMUM SHALL BE PERMITTED TO BE VERTICAL WITHOUT EDGE TREATMENT. CHANGE IN LEVEL BETWEEN 1/4" AND 1/2" SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1 UNIT VERTICAL TO 2 UNITS HORIZONTAL (50%). CHANGE IN LEVEL GREATER THAN 1/2" SHALL BE ACCOMPLISHED BY MEANS OF A RAMP. **C.B.C. 1010.1.7 & C.B.C. 11B-303**
8. HARDWARE AT ALL EXIT DOORS SHALL BE READILY OPENABLE FROM THE EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT. MANUALLY OPERATED EDGE OR SURFACE BOLTS ARE NOT PERMITTED **C.B.C. 1010.1.9 & 1010.1.9.4**
9. HAND-ACTIVATED DOOR OPENING HARDWARE SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST TO OPERATE. HARDWARE SHALL BE CENTERED BETWEEN 34" AND 44" ABOVE THE FLOOR, WHERE SLIDING DOORS ARE IN THE FULLY OPEN POSITION, OPERATING HARDWARE SHALL BE EXPOSED AND USABLE FROM BOTH SIDES **C.B.C. 1010.1.9.1, 1010.1.9.2, & 11B-404.2.7**
10. THE UNLATCHING OF ANY DOOR OR LEAF SHALL NOT REQUIRE MORE THAN ONE OPERATION. **C.B.C. 1010.1.9.5**
11. MAXIMUM DOOR OPENING EFFORTS SHALL BE NO MORE THAN 5 LBS. AT EXTERIOR, 5LBS. AT INTERIOR, & 15 LBS. AT FIRE DOORS OR THE MINIMUM ALLOWABLE BY THE APPROPRIATE ADMINISTRATIVE AUTHORITY **C.B.C. 1010.1.3 & 11B-404.2.9**
12. SWINGING DOOR SURFACES WITHIN 10" OF THE FINISH FLOOR OR GROUND MEASURED VERTICALLY SHALL HAVE A SMOOTH SURFACE ON THE PUSH SIDE EXTENDING THE FULL WIDTH OF THE THE DOOR. PARTS CREATING HORIZONTAL OR VERTICAL JOINTS IN THESE SURFACES SHALL BE WITHIN 1/16" OF THE SAME PLANE AS THE OTHER AND BE FREE OR SHARP OR ABRASIVE EDGES. CAVITIES CREATED BY ADDED KICK PLATES SHALL BE CAPPED. **C.B.C. 11B-404.2.10**
- GLAZING**
13. ALL NEW GLASS WITHIN TENANT IMPROVEMENT TO MEET SAFETY GLAZING REQUIREMENTS OF **C.B.C. 2406**
- WALLS**
14. ALL PROPOSED WALLS IN TENANT IMPROVEMENT ARE NON-BEARING
15. 5/8" SHEETROCK TYPICAL ON WALLS THROUGHOUT & HARD-LID CEILINGS
16. ANY PENETRATIONS THROUGH REQUIRED FIRE RATED WALLS TO BE REPAIRED TO MEET THE APPROPRIATE FIRE RATING
- OTHER**
17. WHERE **WORK SURFACES** ARE PROVIDED FOR USE BY OTHER THAN EMPLOYEES, AT LEAST 5% SHALL BE BETWEEN 28" TO 34" IN HEIGHT, SHALL HAVE A 30" WIDE X 48" DEEP CLEAR SPACE ALLOWING FOR A FORWARD (OR PARALLEL APPROACH AT SALES AND SERVICE COUNTERS). WHERE A FORWARD APPROACH IS REQUIRED KNEE AND TOE CLEARANCE PER **C.B.C. 11B-306** SHALL BE PROVIDED. **C.B.C. 11B-226, 11B-227, 11B-902 & 11B-904**
18. WHERE **LOCKERS** ARE PROVIDED, AT LEAST 5%, BUT NO FEWER THAN ONE OF EACH TYPE SHALL HAVE A 30" WIDE X 48" DEEP CLEAR SPACE ALLOWING FOR A FORWARD OR PARALLEL APPROACH. ONE FULL UNOBSTRUCTED SIDE OF THE CLEAR FLOOR OR GROUND SPACE SHALL ADJOIN AN ACCESSIBLE ROUTE OR ADJOIN ANOTHER CLEAR FLOOR OR GROUND SPACE. ANY OPERABLE PARTS SHALL HAVE A SHAPE THAT IS EASY TO GRASP WITH ONE HAND AND DOES NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST TO OPERATE, AND BE WITHIN ONE OF THE REACH RANGES SPECIFIED BY **C.B.C. 11B-308. C.B.C. 11B-811**



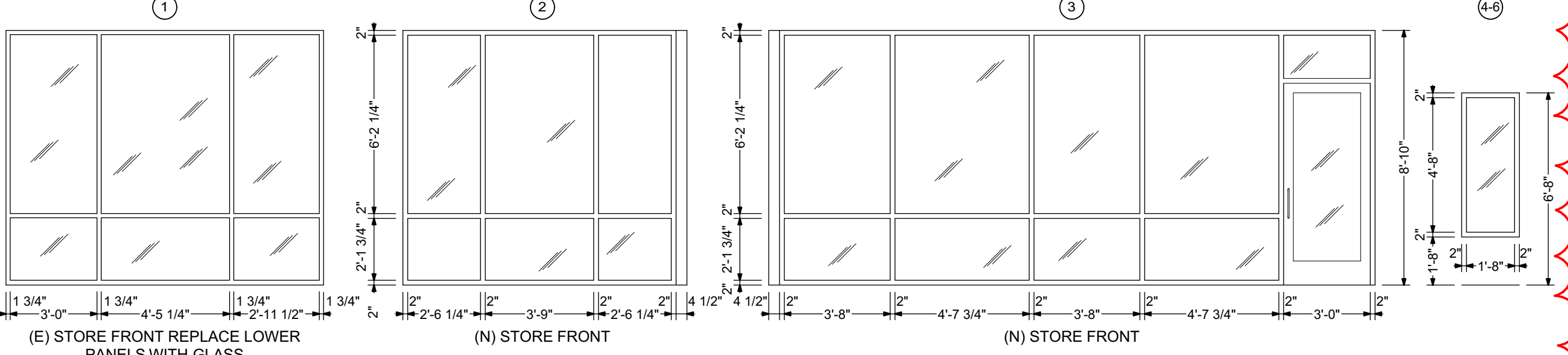
DOOR SCHEDULE



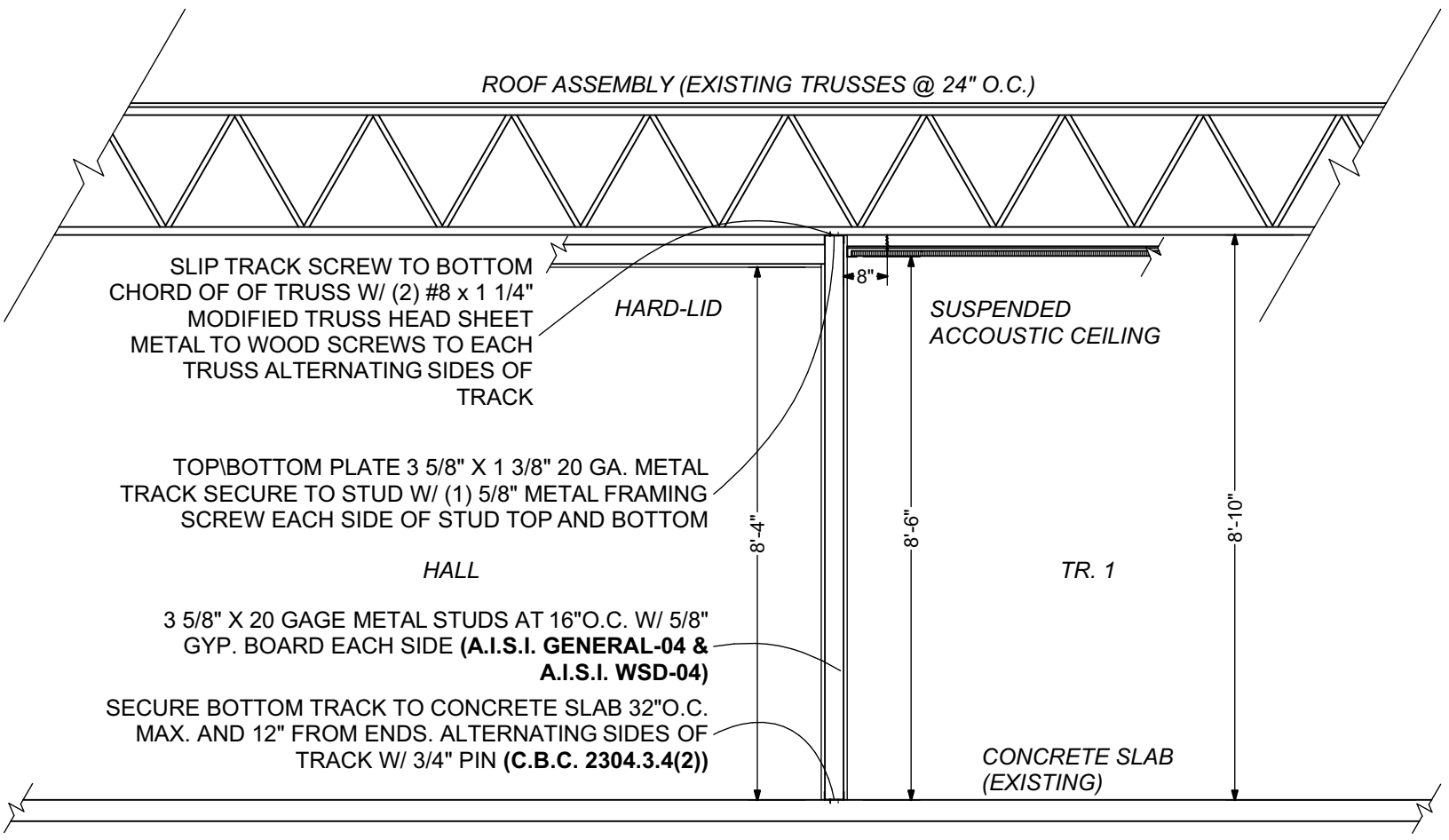
DOOR HARDWARE SCHEDULE



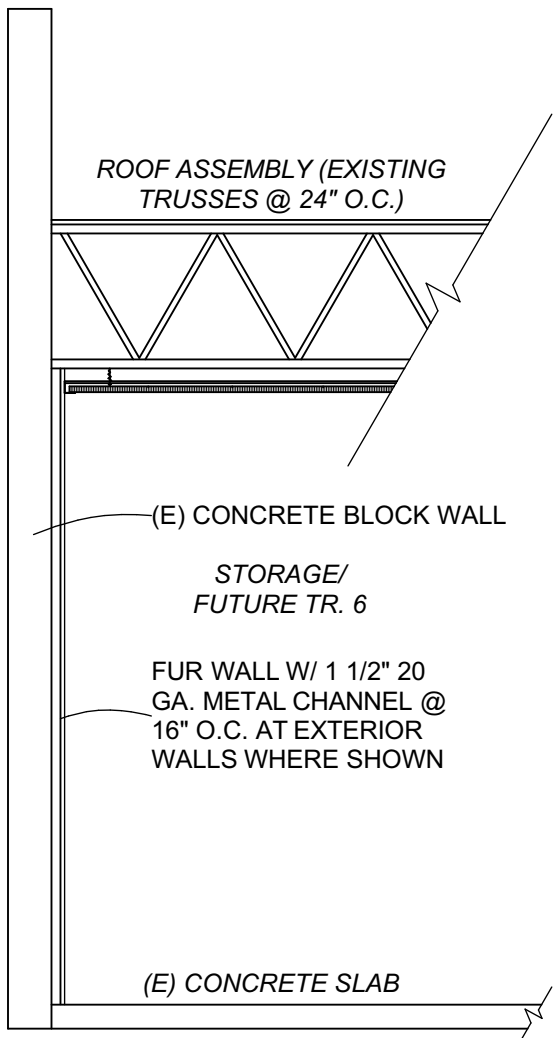
WINDOW SCHEDULE



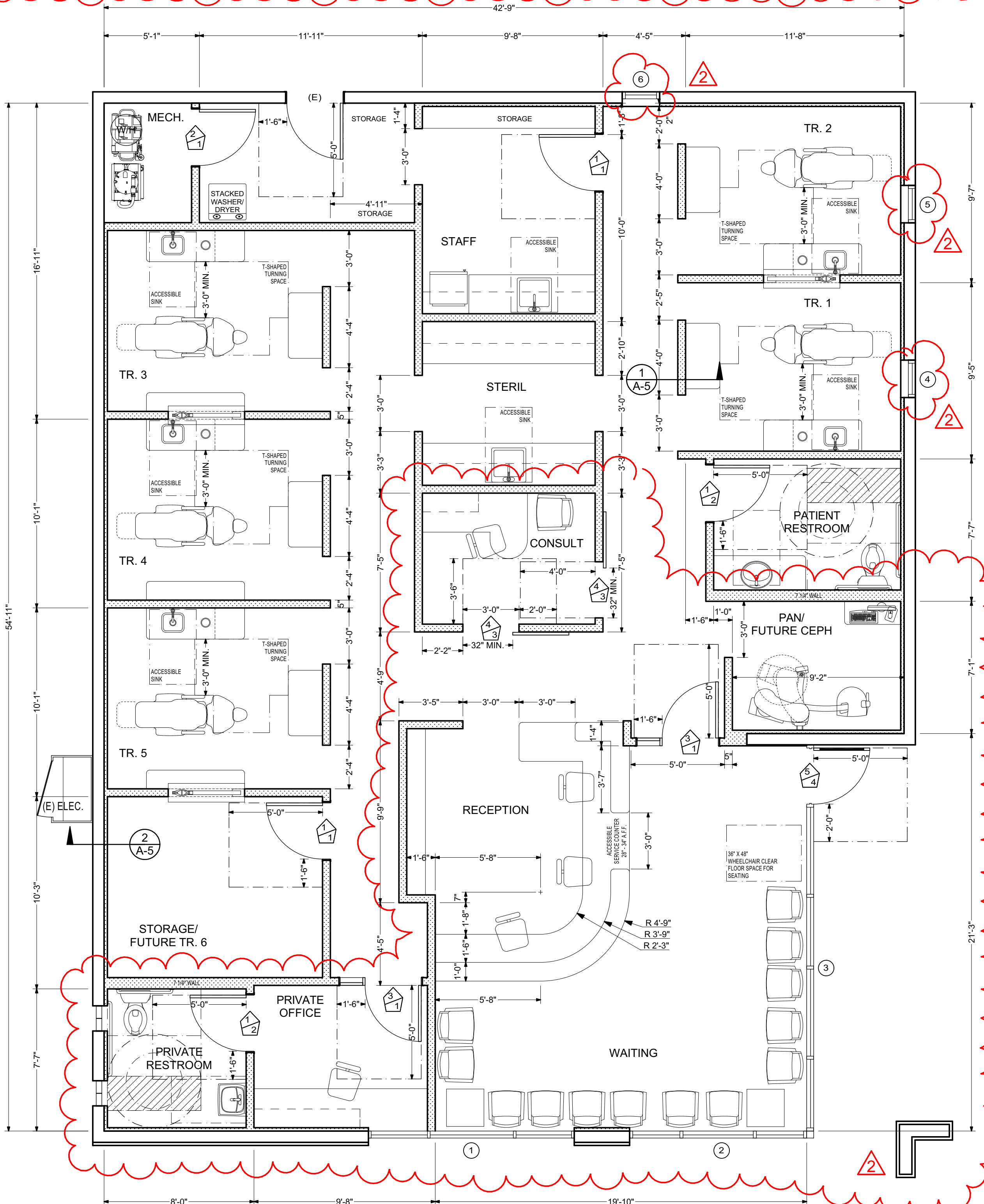
STORE FRONT NOTES: ALL STORE FRONT TO BE DARK BRONZE ANODIZED TO MATCH EXISTING AND TO BE FIELD VERIFIED. STORE FRONT FRAMING TO BE 1 3/4" X 4 1/2" TO MATCH EXISTING GLAZING TO BE TEMPERED AT ALL LOWER PANELS AND THE UPPER PANEL NEXT TO THE DOOR.



1 A-5 CEILING & WALL SECTION



2 A-5 WALL FURRING DETAIL



FLOOR PLAN

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

LEGEND

- EXTERIOR WALLS (EXISTING CONCRETE BLOCK)
- INTERIOR WALLS (NEW, DRAWN AT 5" WIDE U.O.N.)

REVISED 8-21-17 JC

REVISED 4/16/18 JC

FLOOR PLAN

Marzieh Oghabian, DDS
295 East Leland Road
Pittsburg, California 94565

6340 Wells Avenue
Loomis, California 95650
PHONE: (916) 660-9919
CONTRACTORS LIC. 528562
westridgebuilders@yahoo.com



DATE: 7/25/17
SCALE: AS SHOWN
DRAWN BY:
JC
TOTAL SHEETS: 21

A-5

EXISTING ELEVATIONS

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PHONE: (916) 660-9919
CONTRACTORS LIC. 528562
westridgebuilders@yahoo.com



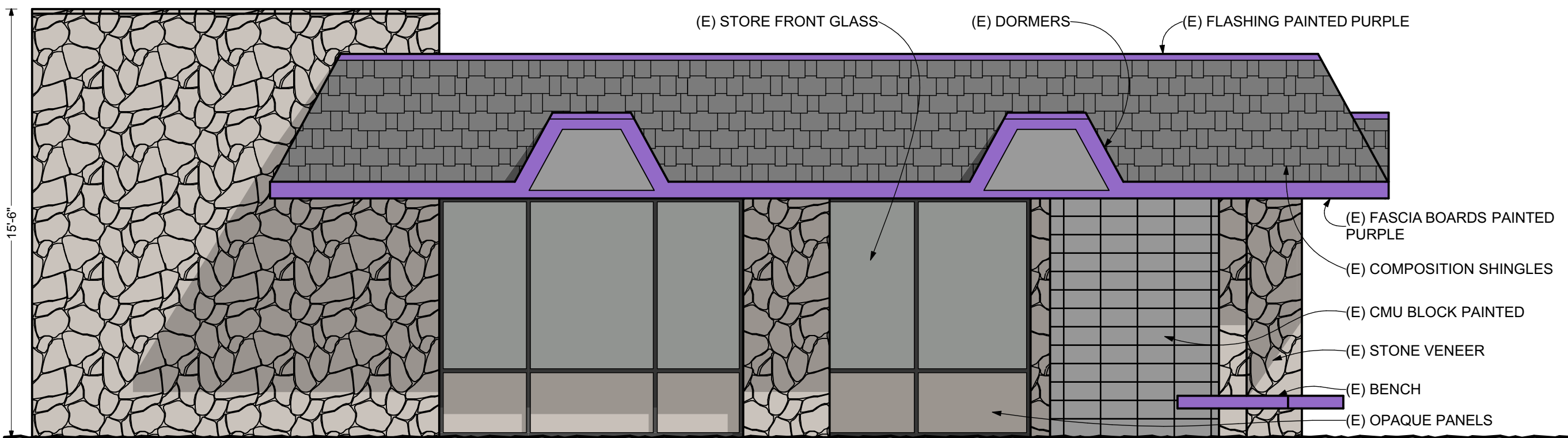
DATE: 7/25/17

SCALE: AS SHOWN

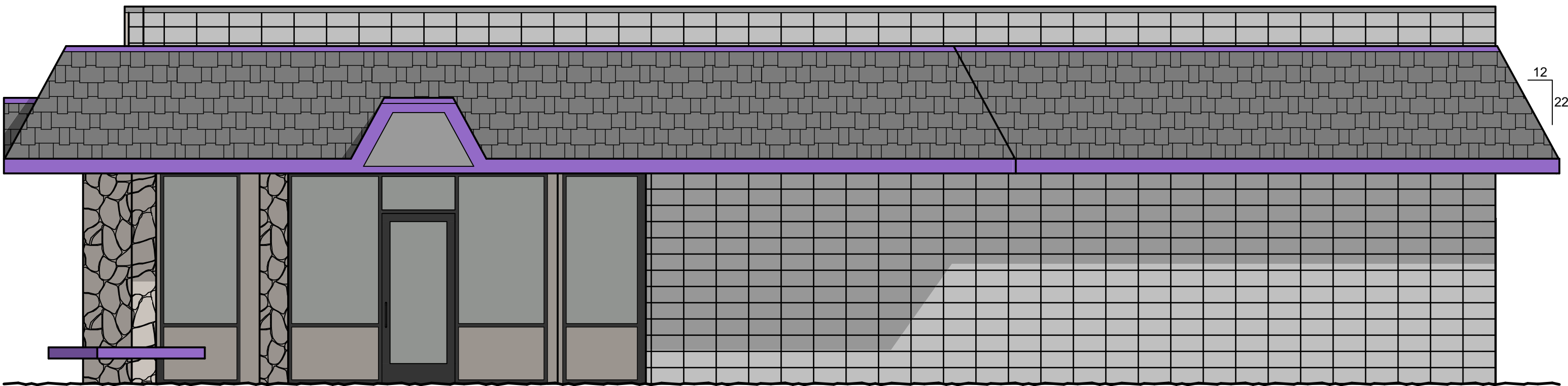
DRAWN BY:

JC

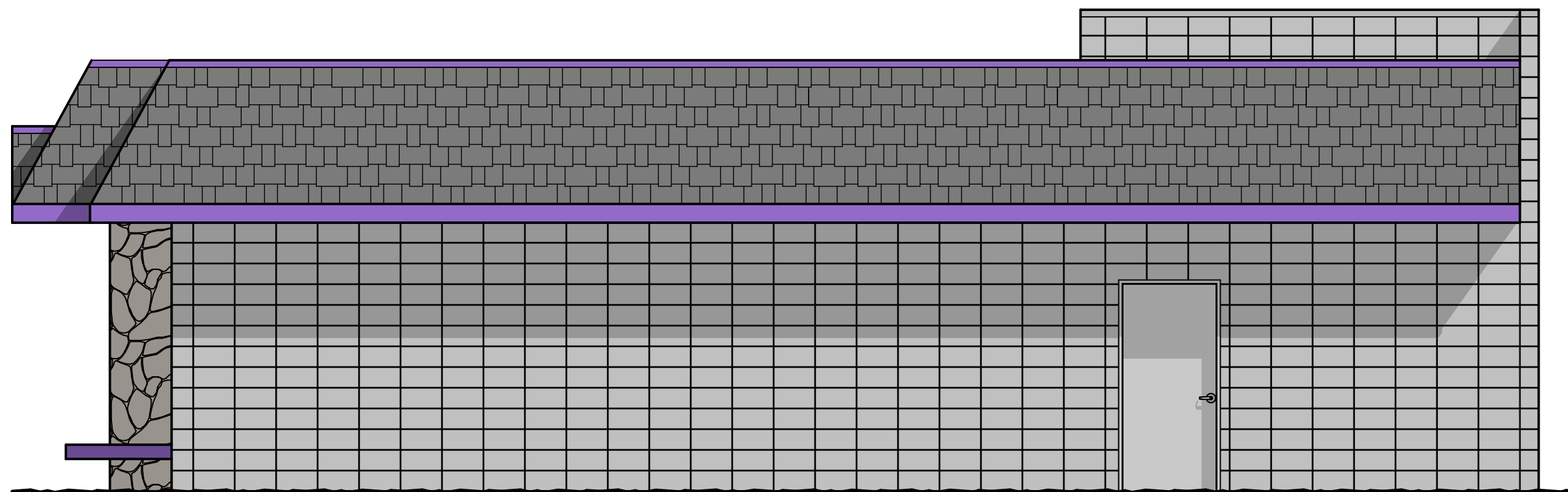
TOTAL SHEETS: 21



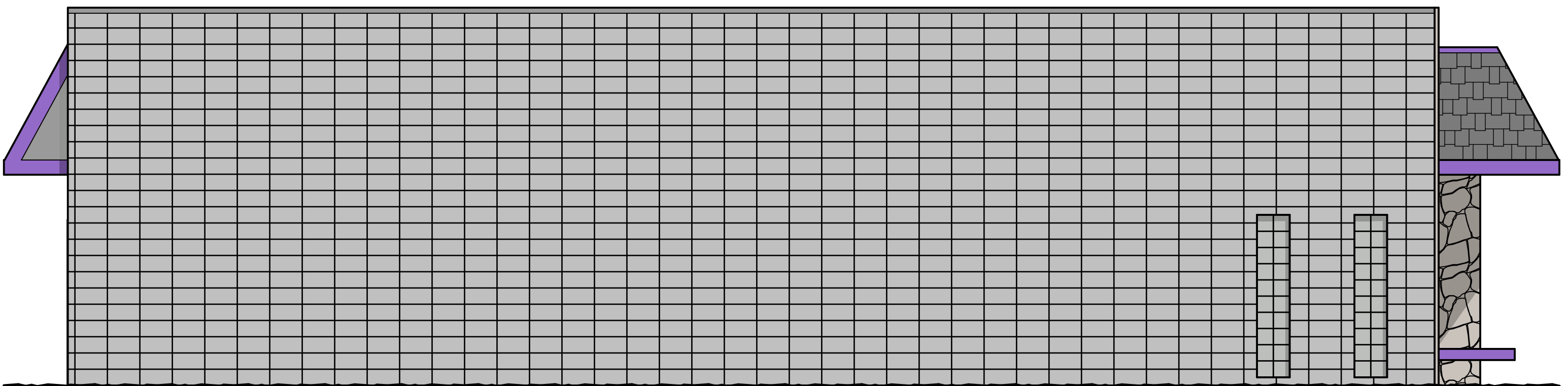
(E) FRONT/SOUTH ELEVATION SCALE: 1/4" = 1'-0"



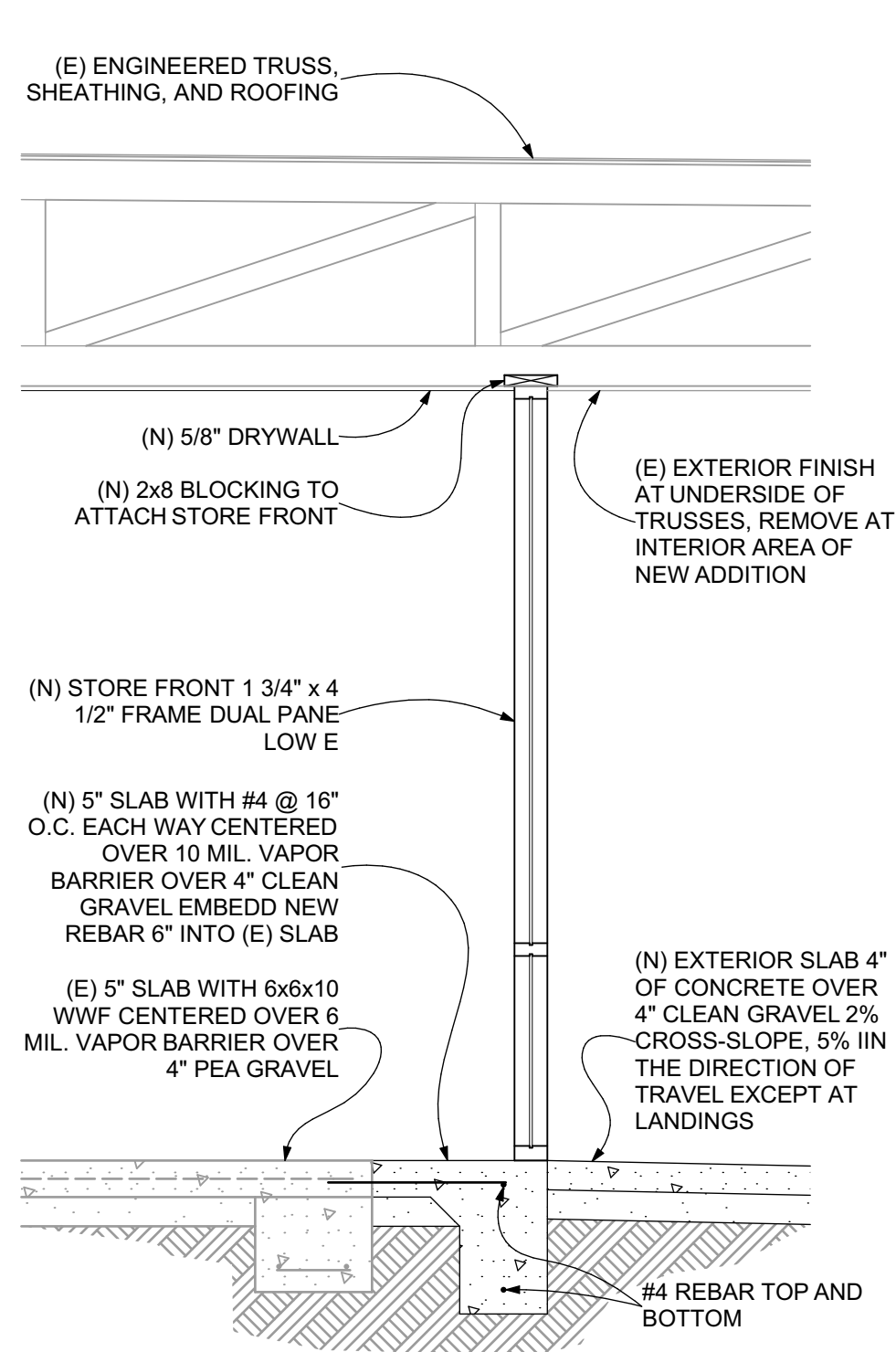
(E) RIGHT/EAST SIDE ELEVATION SCALE: 1/4" = 1'-0"



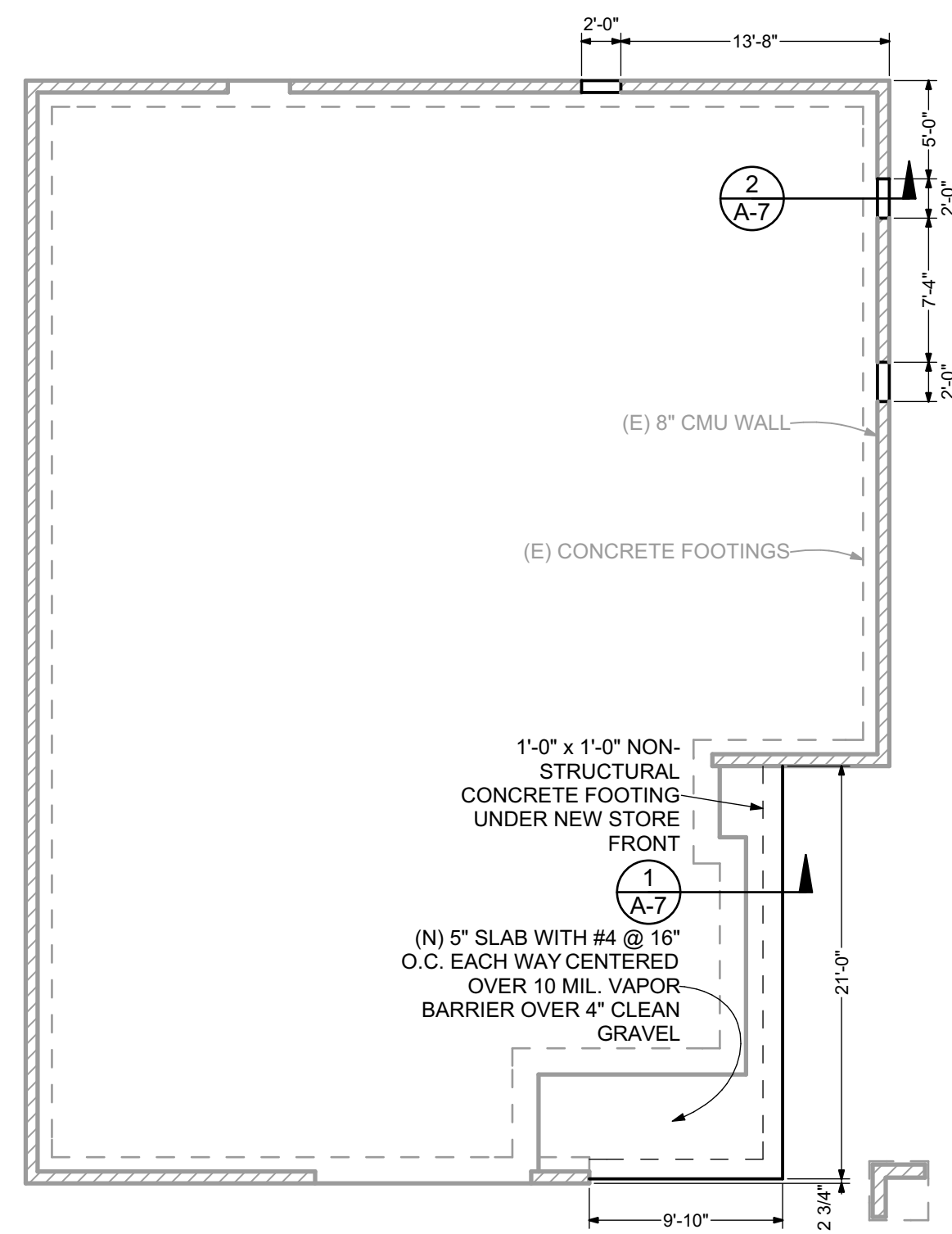
(E) REAR/NORTH ELEVATION SCALE: 1/4" = 1'-0"



(E) LEFT/WEST SIDE ELEVATION SCALE: 1/4" = 1'-0"

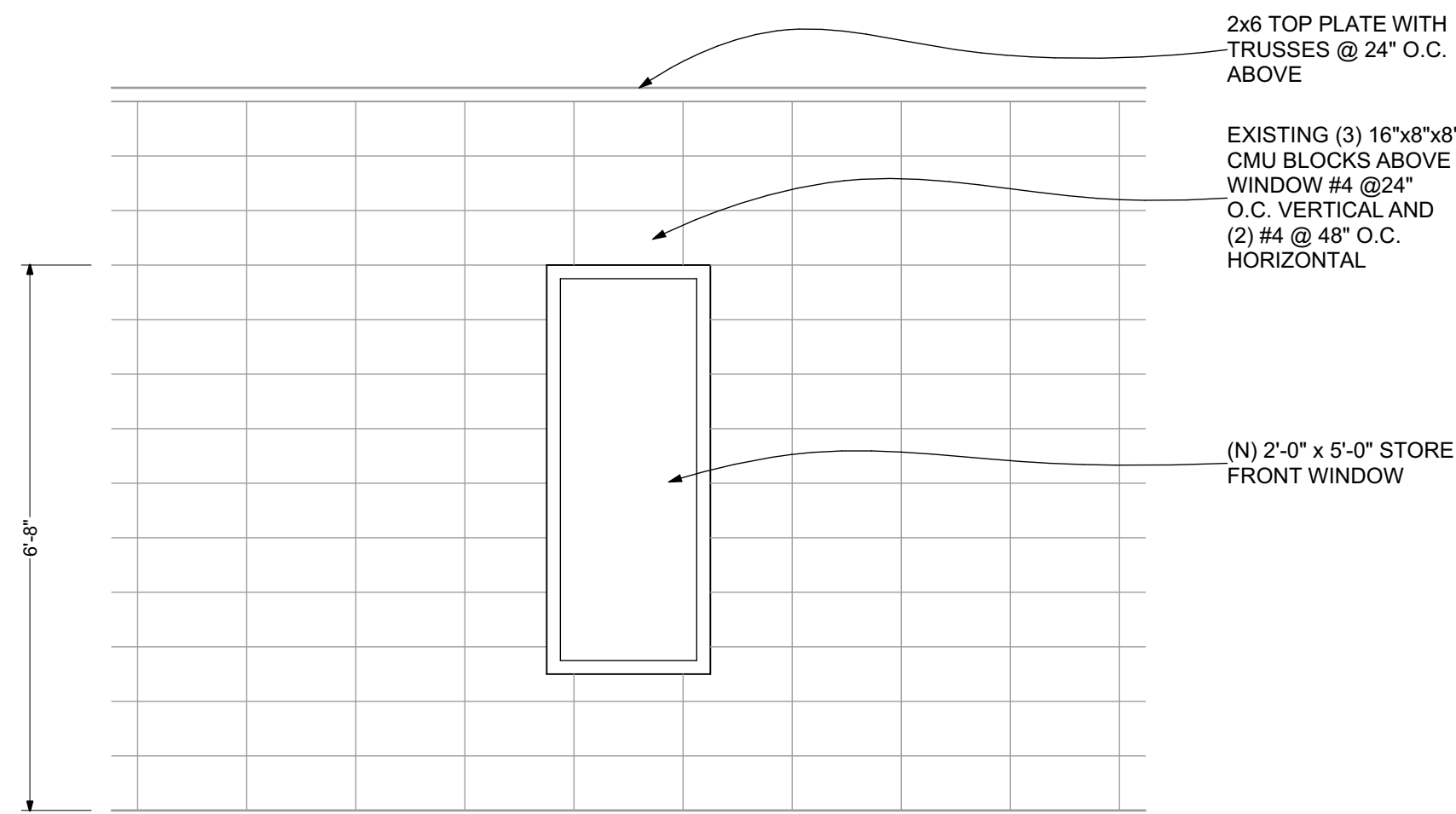


1
A-7 STORE FRONT SECTION
SCALE: 1/2" = 1'-0"



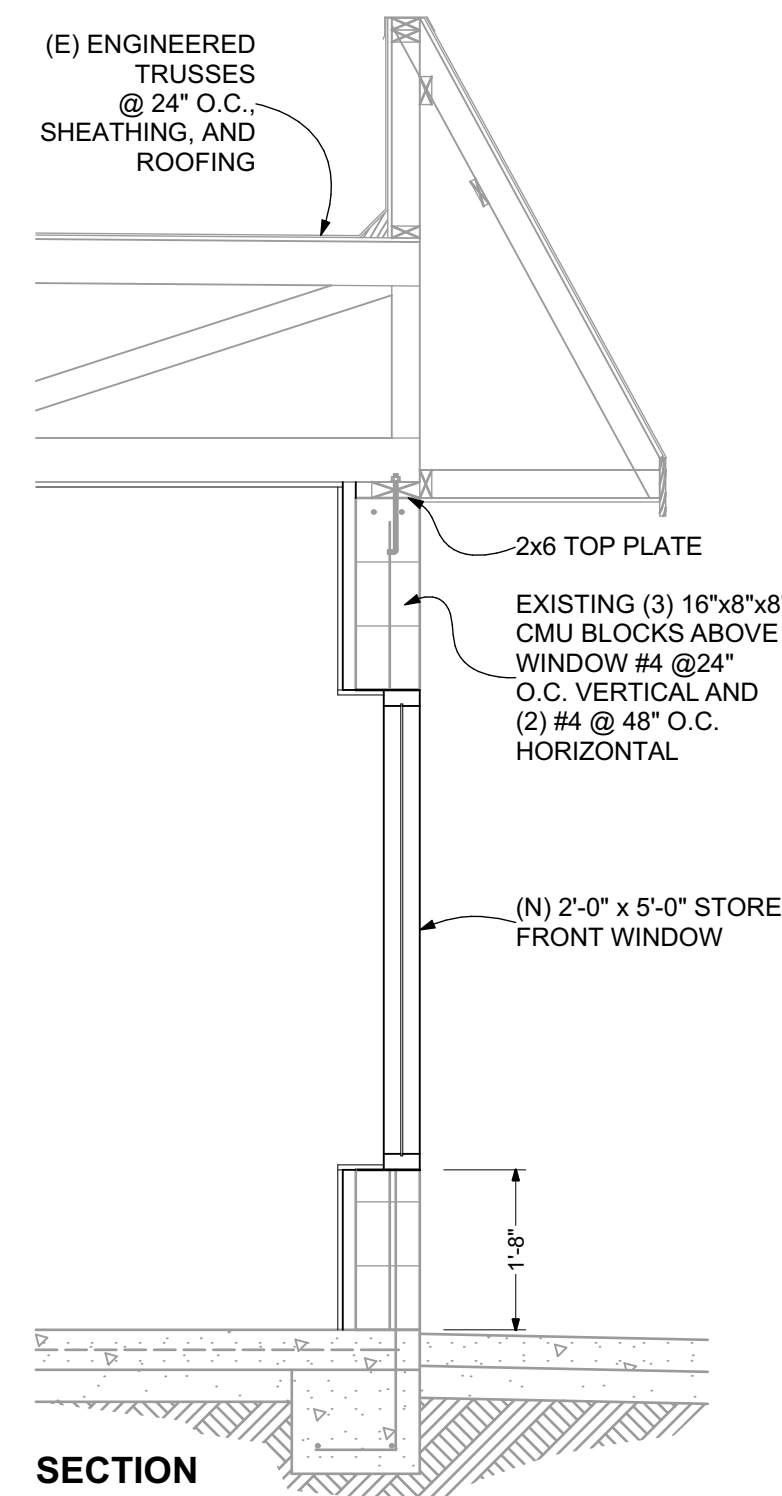
FOUNDATION MODIFICATION

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

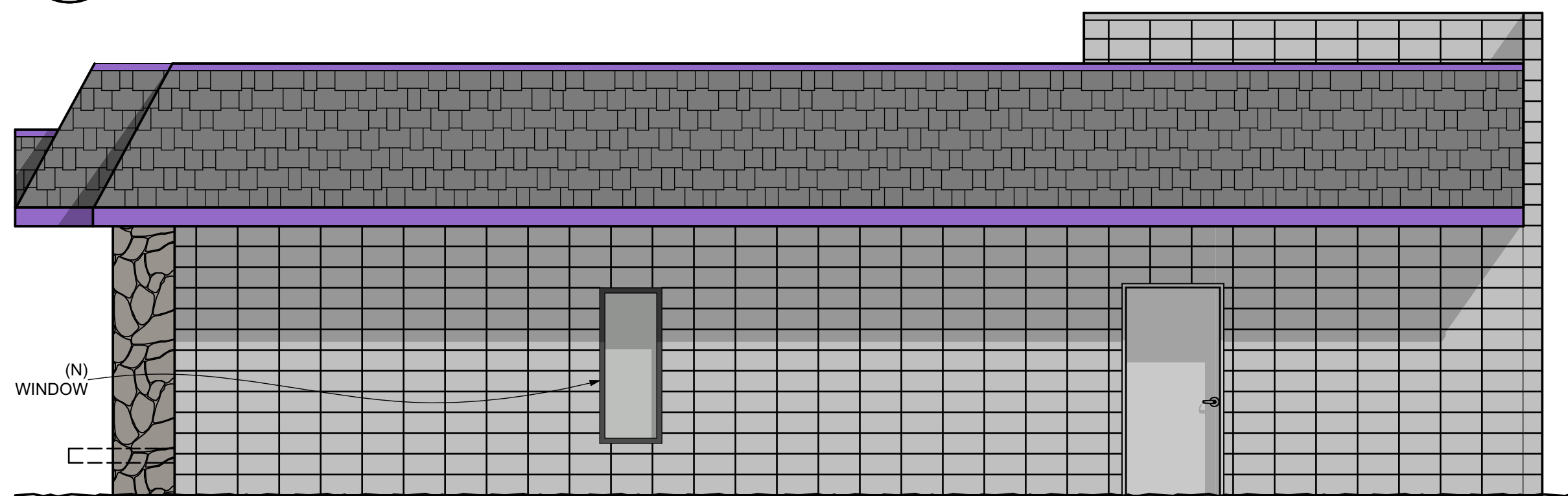


ELEVATION

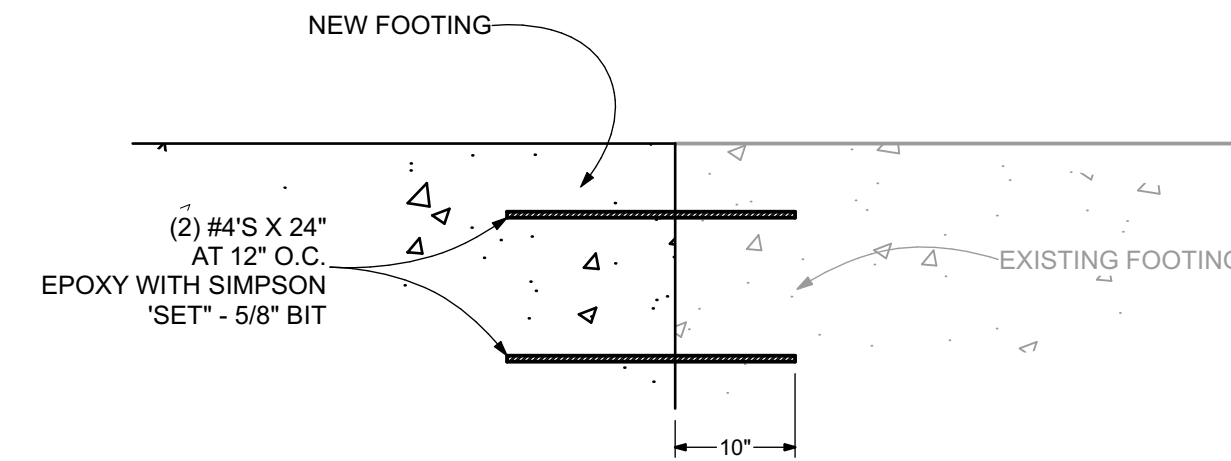
2
A-7 NEW WINDOW OPENING DETAIL
SCALE: 1/2" = 1'-0"



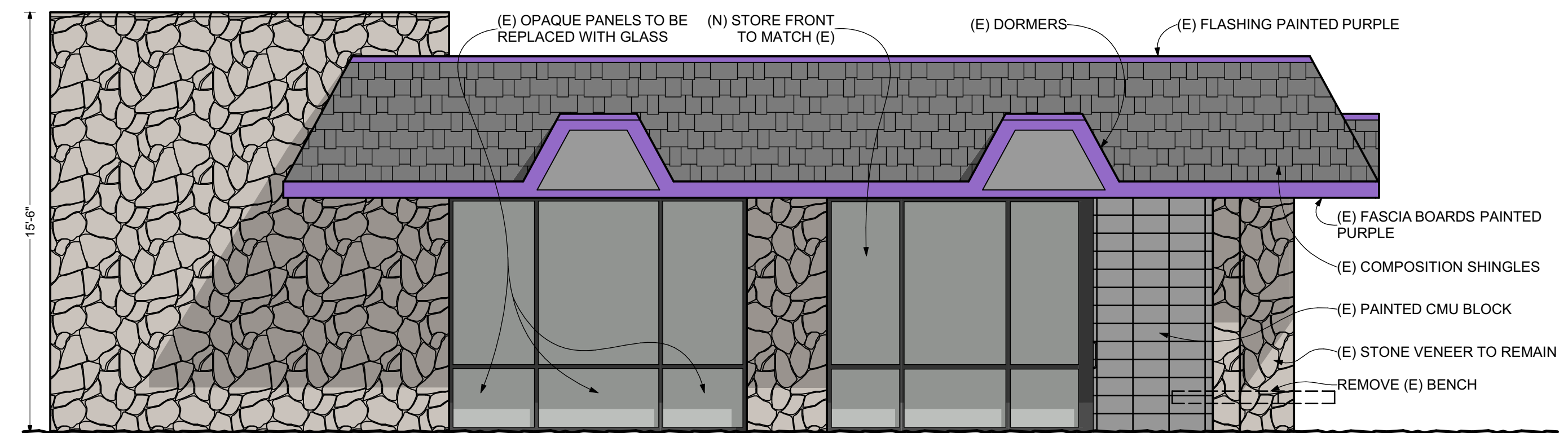
SECTION



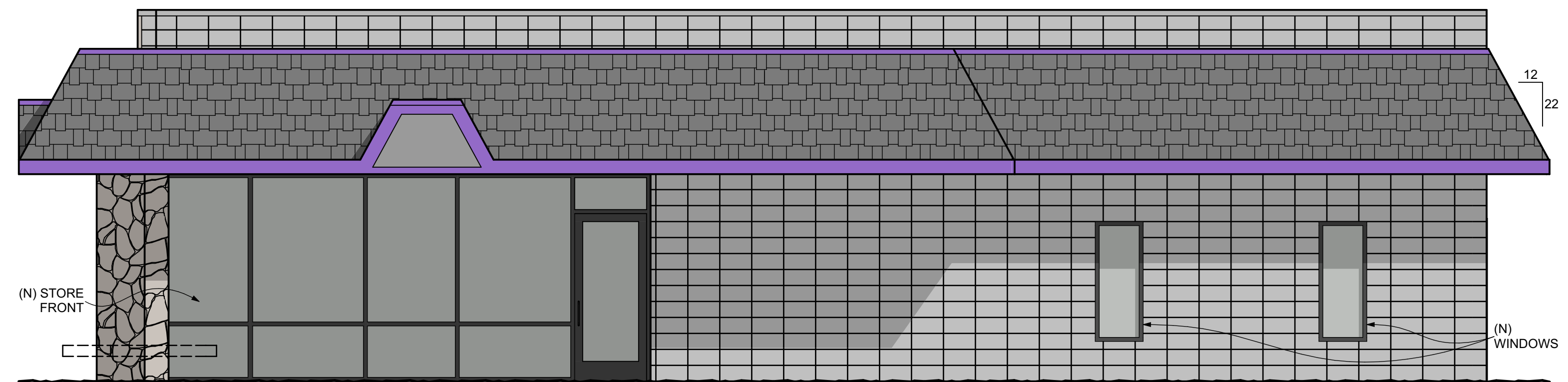
(N) REAR/NORTH ELEVATION SCALE: 1/4" = 1'-0"



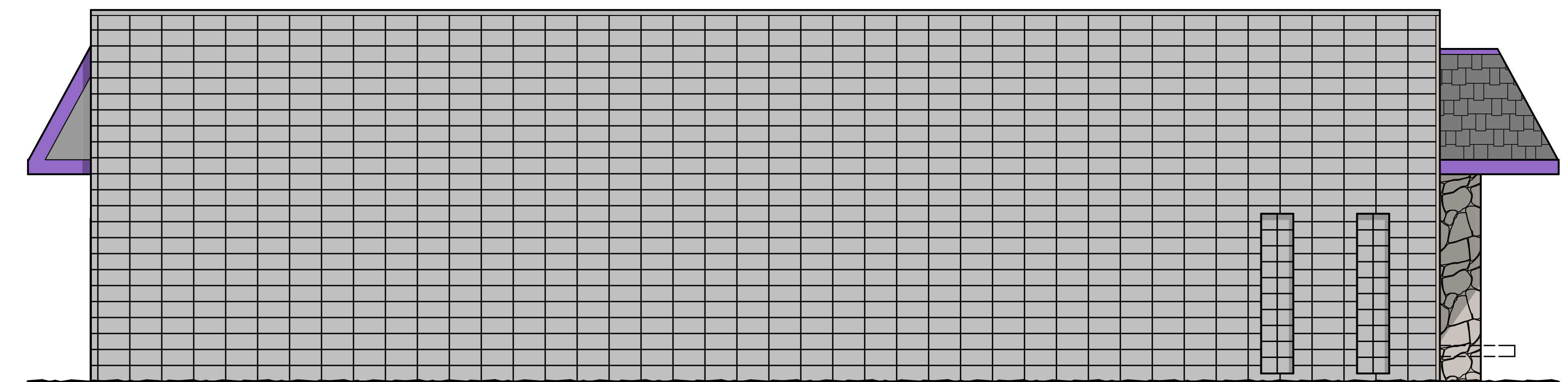
NEW FOOTING TO EXISTING
SCALE: 1/2" = 1'-0"



(N) FRONT/SOUTH ELEVATION SCALE: 1/4" = 1'-0"



(N) RIGHT/EAST SIDE ELEVATION SCALE: 1/4" = 1'-0"



(N) LEFT/WEST SIDE ELEVATION SCALE: 1/4" = 1'-0"

1
2

REVISED 8-21-17 JC

REVISED 4/16/18 JC

NEW ELEVATIONS

Marzieh Oghabian, DDS
295 East Leland Road
Pittsburg, California 94565

6340 Wells Avenue
Loomis, California 95650
PHONE: (916) 660-9919
CONTRACTORS LIC. 528562
westridgebuilders@yahoo.com



DATE: 7/25/17

SCALE: AS SHOWN

DRAWN BY:

JC

TOTAL SHEETS: 21





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

TYPE OF APPLICATION REQUESTED:

- ☐ SR Sign Review Permit ☐ TS Temporary Sign Permit
☐ TA Temporary Activity Permit ☐ OD Outdoor Dining Permit
☒ Other AD

STAFF USE ONLY

Application Number: AP-18-1334 Date Filed: 7.23.18

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

Name of Project: Marzieh Oghabian, DDS

Project Location: 295 East Leland Road

Assessor's Parcel No(s): 088-183-012

Existing Use: Veterinary Clinic Proposed Use: Dental Office

Size of Structure(s), (sq. ft.) existing: 2,247

Size of Addition(s), (sq. ft.) proposed: 100

Property Size (acres or sq. ft.): 42,704 Sq. Ft. No. of Lots Existing: 1 Proposed: 1

Days/Hours of Operation: 9:00 AM - 6:00 PM Monday through Saturday

Number of Employees; Existing: _____ Proposed: _____

Number of On-Site Parking Stalls; Existing: 13 Proposed: 12

Describe proposed project/use request below or include description as an attachment.
(For sign permits, include length x width x height dimensions, sign copy, colors, and length of building frontage.)

Expand the building by 100 square feet by replacing exterior store front. Add three new 2x5 windows through existing concrete block walls. All new windows will match existing store front. All other elements of the exterior, other than access improvements, will remain the same.

Applicant's Name: Jeron Chamberlain Email: jeronc@dentalcontractors.com

Fax No.: (916) 660-9899

Property Manager: none

Phone No.: ()

Property Owner(s): Marzieh Oghabian

Phone No.: (925) 432-9257

Notarized Signature of Agent and/or Property Owner:

Agent (attach notary)_____ Date _____

Property owner/manager (attach notary) _____ Date _____

APPLICATION REQUIREMENTS, SUBMITTAL CHECKLIST (To be completed by applicant)

- ☐ Planning application form completed with property owner(s) notarized signature.
- ☐ ** Two photos and/or three sets of plans of the proposed project location and/or sign(s).
- ☐ Correct filing fees. If paying by check, make payable to the City of Pittsburgh.

You are encouraged to schedule an appointment with Planning Division staff to discuss your project prior to submittal of your application.

**** At least one set of plans must be printed on 11x17 or 8.5x11 sized paper.**

Receipt No. 006057-0033
by UBT

Date Rec'd: 4.23.18

By: Celina F Palmer

	Fees Paid
(TS) Temporary Sign Permit	\$_____

Finance Code
TS

(AD) Administrative Design Review \$ 900

DR

(TA) Temporary Activity Permit \$_____

TA

Other _____ \$ _____

Other _____ \$ _____

TOTAL FEES PAID

\$ 900.00



City of Pittsburg

Planning Department
65 Civic Avenue
Pittsburg, CA 94565-3814

Please list all consultants hired in conjunction with this project and return to the City of Pittsburg Planning Department with the completed application form. The City's Finance Department will review the list to determine if a business license is required and will follow up directly with the consultant pursuant to Pittsburg Municipal Code Chapter 5, Business Licenses and Regulations.

Project Name/Application Number: Marzieh Oghabian, DDS

Project Address: 295 East Leland Road, Pittsburg, CA

Applicant name: Jeron Chamberlain

Applicant phone number: (916) 660-9919

Contractor/Consultant Name Address Contact Phone No.	Consultant's Scope of Work	Contract Price
Westridge Builders, Inc. 6340 Wells Avenue Loomis, CA 95650 (916) 660-9919	General Contractor	\$40,000
Chris Oliveira and Associates 2210 Francisco, Dr., 140-119 El Dorado Hills, CA 95762 (916) 835-6073	Engineer	

Attach additional sheets as necessary.