

**City of Pittsburgh
Zoning Administrator Agenda**

February 4, 2019

**City Hall
First Floor Conference Room 4B
65 Civic Avenue, Pittsburgh, CA 94565**

1:30 P.M.

CALL TO ORDER

DELETIONS, WITHDRAWALS OR CONTINUANCES

COMMENTS FROM THE AUDIENCE (For items not listed on the agenda.)

PUBLIC HEARING

1. **New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)**

This is an application by Gail Knowles on behalf of New Destiny Church, requesting Zoning Administrator approval of a fence height exception to allow a six-foot-tall wrought-iron fence within the front and corner side yard setback, where the maximum height permitted is three feet, and a tree removal permit to remove three protected trees. The project is located at 1411 East Leland Road in the CC (Community Commercial) District. Assessor's Parcel Nos. 088-570-002, -004, and -014.

ADJOURNMENT

NOTICE TO PUBLIC

GENERAL INFORMATION

A decision by the Zoning Administrator 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 either the denial, approval or any condition of approval of an item within the 10-day appeal period. A completed appeal form and the applicable filing fee must be filed with the City Planner, 65 Civic Avenue, Pittsburg. The appeal form must include the name and address of the appellant and state the reasons for the appeal. The appeal will be set for Planning Commission consideration and public notice given.

The Zoning Administrator requests that you refrain from disruptive conduct during the meeting and that you observe the order and decorum of the meeting. Please turn off or set to vibrate all cellular phones and pagers, and refrain from making personal, impertinent or slanderous remarks. Boisterous or disruptive behavior during the meeting, and the display of signs in a manner that violates the rights of others or prevents others from watching or fully participating in the meeting is a violation of Municipal Code, and the Zoning Administrator can direct any person who engages in such conduct to leave the meeting.

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 the meeting will be made available in appropriate alternative formats. If you need special assistance to participate in this meeting, or wish to request a specially formatted agenda, please contact the City Planner at 925-252-4920. Notification at least 24 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)



City of Pittsburg

Community Development Department – Planning Division

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

Memorandum

MEMO: February 4, 2020
TO: Zoning Administrator
FROM: John Dacey, AICP, Assistant Planner
RE: **New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)**

ORIGINATED BY: New Destiny Church, 1411 E. Leland Rd, Pittsburg, CA 94565

SUBJECT: This is an application by Gail Knowles on behalf of New Destiny Church, requesting Zoning Administrator approval of a fence height exception and a tree removal permit for the property located at 1411 E. Leland Road in the CC (Community Commercial) District. Assessor's Parcel Nos. 088-570-002, -004, and -014. Approval of the application would allow construction of six-foot-tall wrought-iron fence and removal of three existing trees with protected status.

RECOMMENDATION: Staff recommends the Zoning Administrator adopt Resolution No. 350, approving Fence Height Exception and Tree Removal Permit Application No. 19-1453, subject to conditions.

BACKGROUND:

This application was filed on August 2, 2019. The Notice of Intent to Conduct a Zoning Administrator Public Hearing for this item was provided to the Planning Commission on October 22, 2019.

PROJECT DESCRIPTION:

Existing Conditions: The subject site is located along E. Leland Road, between Loveridge Road and Gladstone Drive. The 3.39-acre site is developed with a 28,608-square-foot church; a separate 6,580-square-foot commercial building; and a shared parking lot with landscaped areas. The only fencing on the property is located along its western boundary, between the church building and the Loveridge Shopping Center. There are 12 trees on site with a circumference greater than 50 inches. None of those trees are native to California (see Attachment 5, Arborist Report). However, the City Planner has determined that three of the trees are beneficial to site and neighborhood, and therefore are considered protected trees pursuant to Pittsburg Municipal Code (PMC) section 18.84.830(F). The protected trees are located along Gladstone Drive and

Simpson Court.

Proposed Project: The applicant would like to enclose the remaining perimeter of the property with a six-foot-tall wrought-iron fence to address ongoing issues with trespassing and vandalism (see Attachment 4, Project Plans). Automatic gates would be installed along the three street frontages. The gate along Gladstone Drive would be open during business hours from 7 a.m. to 5 p.m. The gate along E. Leland Road would be open during church service hours which vary throughout the week. The gate along Simpson Court would be opened regularly only on special events and Sundays. Installation of the new fence would require removal of the three protected trees mentioned under the existing conditions section of this report.

CODE COMPLIANCE:

Zoning: The subject site is in the CC (Community Commercial) District. The maximum fence height allowed within the required front and corner side yard setbacks is three feet [(PMC section 18.84.205(C)(3)]. The proposed six-foot tall fence would exceed this maximum by three feet. PMC section 18.84.205(F) allows for the maximum allowable fence height to be increased through the issuance of a fence height exception approved by the Zoning Administrator.

Required Findings – Fence Height Exception: In accordance with PMC section 18.84.205 (F)(2), a fence height exception may be granted only if the Zoning Administrator can make findings that the proposed fence:

- A. will not infringe upon the light, air circulation, or visual openness of surrounding properties;
- B. will not detract, impair, or destroy the characteristics of the established area; and,
- C. will not be detrimental to the health, safety or welfare of persons residing or working in or adjacent to the area or neighborhood of such structure.

Tree Removal Permit: A tree removal permit is required prior to removal of any protected tree (PMC 18.84.845). PMC section 18.84.855 specifies the following options for replacement of protected trees: a) replacement of the removed trees at a four-to-one ratio with 24-inch box trees; b) replacement of the trees at a 12-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 12-to-one ratio of 15-gallon trees (in-lieu fee is currently \$400 per tree); or d) a combination of replacement and payment of in-lieu fees.

Required Findings- Tree Removal Permit: In order to approve the removal of protected trees, the Zoning Administrator must make at least one of the following findings pursuant to PMC section 18.84.850(E):

- A. the condition of the tree or trees with respect to disease, danger of falling and the potential for endangering other nearby trees warrants removal and such condition represents a risk to public health and safety and cannot be reasonably remedied through less drastic measure; or
- B. the burden to the applicant in preserving the tree or trees greatly outweighs the tree's or trees' benefit to the public or environment; or
- C. if part of a development plan, subdivision or other discretionary project, preservation of the tree or trees would severely reduce the scale or feasibility of the development.

Environmental: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, "New Construction or Conversion of Small Structures" of the State CEQA Guidelines, section 15303. Class 3 exemptions include a variety of accessory structures such as garages, carports, patios, swimming pools, and fences.

Public Noticing: On or prior to January 25, 2020, notice of the February 4, 2020 public hearing was posted at City Hall, near the subject site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091.

STAFF ANALYSIS:

Staff believes the Zoning Administrator can make the required findings to approve the fence height exception as requested. The proposed fence would not infringe upon the light, air circulation, or visual openness of surrounding properties, since the perimeter of the property is primarily located along public right-of-ways. Existing fencing is located along the property lines with the Loveridge Shopping Center and St. Vincent De Paul, of which the proposed fence would provide higher quality materials, and still allow for circulation of light and air by its design. The new fencing would not affect sight lines for driver safety, as it would be setback sufficiently from roadways.

Staff also believes the Zoning Administrator can make the required findings to approve the tree removal permit as requested. The burden to the applicant in preserving the three trees greatly outweighs the trees' benefit to the public or environment, and a condition of approval requiring the applicant to provide replacement trees of adequate size would sufficiently mitigate the removal of the protected trees, pursuant to PMC section 18.84.855.

Zoning Administrator Staff Report
New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)
February 4, 2020

REQUIRED ACTION:

Move to adopt Resolution No. 350, approving Fence Height Exception and Tree Removal Permit Application No. 19-1453, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 350
2. Site Photos
3. Map of Surrounding Uses
4. Project Plans, dated January 27, 2020
5. Arborist Report, dated October 31, 2019
6. Public Hearing Notice/Vicinity Map

Prepared by: John Dacey, AICP, Assistant Planner

PROPOSED
BEFORE THE ZONING ADMINISTRATOR OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Approving a Fence Height)	
Exception for a Six-Foot-Tall Wrought-Iron)	Resolution No. 350
Fence, and a Tree Removal Permit for)	
Three Protected Trees, for "New Destiny)	
Church Fence Height Exception and Tree)	
Removal Permit, AP-19-1453 (ZA)."))	

The Zoning Administrator DOES RESOLVE as follows:

Section 1. Background

- A. On August 2, 2019, Gail Knowles, filed Fence Height Exception and Tree Removal Permit Application No. 19-1453, requesting approval to construct a six-foot tall wrought-iron fence within the front and corner side yard setback, where the maximum fence height permitted is three feet, and a tree removal permit to remove three protected trees, located at 1411 East Leland Road in the CC (Community Commercial) District. Assessor's Parcel Nos. 088-570-002, -004, -014.
- B. On October 22, 2019, the Zoning Administrator submitted to the Planning Commission a Notice of Intent to exercise delegated authority for the subject application pursuant to Pittsburg Municipal Code (PMC) section 18.84.205(F)(2).
- C. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 3, "New Construction or Conversion of Small Structures" of the State CEQA Guidelines, section 15303. Class 3 exemptions include a variety of accessory structures such as garages, carports, patios, swimming pools, and fences.
- D. On or prior to January 25, 2020, notice of the February 4, 2020 public hearing was posted at City Hall, near the subject site, and on the 'Public Notices' section of the city's website; was delivered for posting at the Pittsburg Library; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091.
- E. PMC section 18.84.205(F), *Exceptions to Fence Height Regulations*, allows for the maximum allowable fence height to be increased through the issuance of a fence height exception approved by the Zoning Administrator. In order to approve a fence height exception, the Zoning Administrator must make findings (PMC section 18.84.205.F.2) that the proposed fence structures:

1. will not infringe upon the light, air circulation, or visual openness of surrounding properties;
 2. will not detract, impair or destroy the characteristics of the established area; and,
 3. will not be detrimental to the health, safety or welfare of persons residing or working in or adjacent to the area or neighborhood of such structure.
- F. PMC section 18.84.850, "Tree Removal Permit Procedure and Requirements," allows for the removal of protected native and non-native trees through the issuance of a tree removal permit approved by the Zoning Administrator. Pursuant to PMC section 18.84.854(E), in order to approve the removal of protected trees, the Zoning Administrator must find that either:
1. the condition of the tree or trees with respect to disease, danger of falling and the potential for endangering other nearby trees warrants removal and such condition represents a risk to public health and safety and cannot be reasonably remedied through less drastic measure; or
 2. the burden to the applicant in preserving the tree or trees greatly outweighs the tree's or trees' benefit to the public or environment; or
 3. part of a development plan, subdivision or other discretionary project, preservation of the tree or trees will severely reduce the scale or feasibility of the development.
- G. On February 4, 2020, the Zoning Administrator held a public hearing on Fence Height Exception and Tree Removal Permit Application No. 19-1453, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on all the information contained in the Planning Division files on this project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all oral and written testimony presented at the public hearing, the Zoning Administrator finds that:
1. All recitals above are true and correct and are incorporated herein by reference.
 2. The proposed fence will not infringe upon the light, air circulation, or visual openness of surrounding properties, in that it will be located along public right-of-ways which will continue providing adequate light, air, and openness between adjacent properties.
 3. The proposed fence will not detract, impair or destroy the characteristics of the

established area, in that it will be constructed in a sound and workmanlike fashion using newer, high-quality materials, consistent with other fences in the neighborhood.

4. The proposed fence will not be detrimental to the health, safety, or welfare of persons residing or working in or adjacent to the area or neighborhood, in that the new fencing will allow for increased privacy and security for both the applicant and adjoining neighbors; and not affect sight lines for driver safety with its distance setback from the adjacent streets.
5. The burden to the applicant, in preserving the trees greatly outweighs the trees' benefits to the public or environment and a condition of approval requiring the applicant to provide replacement trees of adequate size will sufficiently mitigate the removal of the protected trees, pursuant to PMC section 18.84.855.

Section 3. Decision

- A. Based on the findings set forth above, the Zoning Administrator hereby approves Fence Height Exception and Tree Removal Permit Application No. 19-1453, subject to the following conditions.
 1. Site Plan. The proposed fence shall be installed in substantial conformance with the site plan date-stamped January 27, 2020, except as may be modified by the conditions below.
 2. Fence Maintenance. The fence shall always be maintained erect and in a state of good repair. Any dilapidated, dangerous, or unsightly fence or wall shall be repaired, replaced, or removed, as the situation may warrant.
 3. Property Maintenance. The entire site including paved, unpaved, and landscaped areas must be kept in a neat and orderly manner, free of weeds loose trash, debris, and other litter.
 4. Gated Access. The gated entrance at Gladstone Drive shall remain open during business hours of 7:00 a.m. to 5:00 p.m.
 5. Prior to removal of the protected trees, the applicant shall submit either of the following:
 - a. 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
 - b. A site plan showing where replacement trees, as required by PMC section 18.84.855(A), are to be located. If choosing this option, the

applicant shall install the replacement trees within one year of the date of approval of the replacement plan.

Standard Conditions:

6. Construction. All site development shall comply with Title 15 (Building and Construction) of the Pittsburg Municipal Code.
7. Other Agency Requirements. The applicant shall comply with all requirements of the Pittsburg Building and Engineering Divisions, the Contra Costa County Fire Protection District, and all other applicable local, state and federal agencies. It is the responsibility of the business owner to contact each local, state, or federal agency for requirements that may pertain to this project.
8. Standard Conditions. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between this resolution and the Standard Conditions of Development, this Zoning Administrator resolution shall govern.
9. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorney's 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.
10. Expiration. This approval will expire on February 4, 2021, unless an encroachment 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 Zoning Administrator. The approval shall be valid for no more than six months from the date of permit issuance, unless work is commenced and diligently pursued prior to the expiration of the permit.

Section 4. Effective Date

This resolution shall take effect immediately upon adoption of this resolution.

The foregoing resolution was passed and adopted the 4th day of February, 2020, by the Zoning Administrator of the City of Pittsburg, California.

KRISTIN POLLOT, AICP
ZONING ADMINISTRATOR

Attachment 2
Site Photos

New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)



Attachment 2
Site Photos

New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)



Attachment 2
Site Photos

New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)



View from Northwest Corner

Attachment 3
Map of Surrounding Uses

New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA)



NEW DESTINY CHURCH

1411 EAST LELAND RD.
PITTSBURG, CA 94565-5109

NEW DESTINY CHURCH FENCE HEIGHT EXCEPTION

AP-19-1453

CCCFPD Project No. : P-2019-03614

REVISION DATE	BY
1 FIRE DEPARTMENT PLAN CHECK 08-28-2019	EEM
2 ADD. SHEET S.3 10-09-2019 RESCUE AREA @ PARKING LOT	EEM

CONSULTANT ENGINEER:



JON D. CAMPIDONICA P.E.
CIVIL ENGINEER
LIC. 61989
2712 River Valley Circle
Modesto, CA 95351
(209) 538-0840
jcamp@pacbell.net

NEW DESTINY CHURCH

NEW DESTINY CHURCH FENCE HEIGHT EXCEPTION

1411 E. LELAND RD. PITTSBURG

AP-19-1453
CCCFPD Project No.: P-2019-03614

PROJECT OWNER & MAILING ADDRESS:

NEW DESTINY CHURCH
1411 EAST LELAND RD.
PITTSBURG, CA 94565-5109

APN 088-570-014-6
088-570-002-1
088-570-004-7

TRACT 5854 LOTS 3 & 5

CONTRACTOR:

TJM MANSORY
230 EAST K STREET
BENICIA, CA 94510
Contact:
TONY & YOLANDA CHAVEZ

(707) 208-2265
(707) 746-8483

DIGITAL DRAFTING TECHNOLOGY SERVICES, LLC.

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PRINTED DATE: 10-09-2019

DATE: 03-02-2019

SCALE: As Shown

DRAWN: E.E. MORAN

JOB: 2019-210

SHEET #: S.1

OF 3 SHEETS

SCOPE OF WORK

1. PROPOSED NEW CONCRETE MASONRY PILASTER PER LAYOUT. SEE SHEET S.1
2. PROPOSED NEW WROUGHT IRON FENCE 6'-0" HIGH MAX. TYP.
3. PROPOSED (3) NEW PARKING LOT GATES PER LAYOUT. SEE SHEET S.1
4. PROPOSED KNOX BOX INSTALLATION AT EACH GATE. KNOX BOX NEEDS FIRE DEPARTMENT APPROVAL
5. PROPOSED NEW MAN GATE. SEE SHEET S.1 FOR LOCATION. GATE HARDWARE ON SHEET S.2.

GENERAL NOTES:

This building complies with TITLE 24 and the following model codes:

2016 California Building Codes (CBC)
2016 California Plumbing Codes (CPC)
2016 California Mechanical Codes
2016 California Fire Codes (CFC)
2016 California Electrical Codes
2016 California Energy Code
2016 California Green Building Standard Code (CGBCS)

CONDITIONS:

THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE VERIFICATION OF ALL DIMENSIONS, GRADES AND OTHER JOB SITE CONDITIONS AND SHALL REPORT ANY DISCREPANCIES TO THE DESIGNER OR ENGINEER FOR CLARIFICATION PRIOR TO COMMENCING WORK.

CONCRETE:

1. ALL CONCRETE SHALL HAVE A MINIMUM ULTIMATE COMPRESSIVE STRENGTH OF 2500 PSI IN 28 DAYS.
2. ALL PLACEMENT OF CONCRETE SHALL MEET REQUIREMENTS OF THE CURRENT CBC.
3. ALL SURFACES TO RECEIVE CONCRETE SHALL BE WATERED DOWN 24 HOURS IN ADVANCE OF POURING CONCRETE.
4. ALL CONCRETE SURFACES SHALL BE PROTECTED AND CURED IN ACCORDANCE WITH ACCEPTED BUILDING PRACTICES.
5. WHERE AREA CONCRETE SLAB EXCEEDS 500 SQUARE FEET, PROVIDE EXPANSION CONTROL JOINTS, ONLY ON NEW CONSTRUCTIONS.

SPECIFICATIONS:

CONCRETE: 2500 PSI AT 28 DAYS. TYPE II PCC.
REINFORCING: ASTM A615-80 GRADE 40 DEFORMED BARS.
STRUCTURAL STEEL: ASTM A36, OR ASTM A572 GRADE 42, FABRICATED AND ERECTED PER AISI, 2016 CBC CHAPTER 22
PIPE: ASTM A53 OR ASTM A501, 2016 CBC CHAPTER 22
WIDE FLANGE: ASTM A992
WOOD: IBC/CBC CHAPTER 23 AF&PA NDS-12 & AF&PA NDS-08
STEEL ROOFING: ASTM A446 GRADE E 80 KSI YIELD.
EXCAVATION, GRADING, AND FILL: PER 2016 CBC CHAPTER 18
CONSTRUCTION MUST MEET ALL LOCAL, STATE AND FEDERAL HEALTH DEPARTMENT REGULATIONS.

FIRE DEPARTMENT REQUIREMENT

1. AT LEAST TWO OF THE GATES SHALL COMPLY WITH THE FOLLOWING REQUIREMENTS. ALL GATES SHALL BE EQUIPPED WITH A KNOX SWITCH OR KNOX PADLOCK.

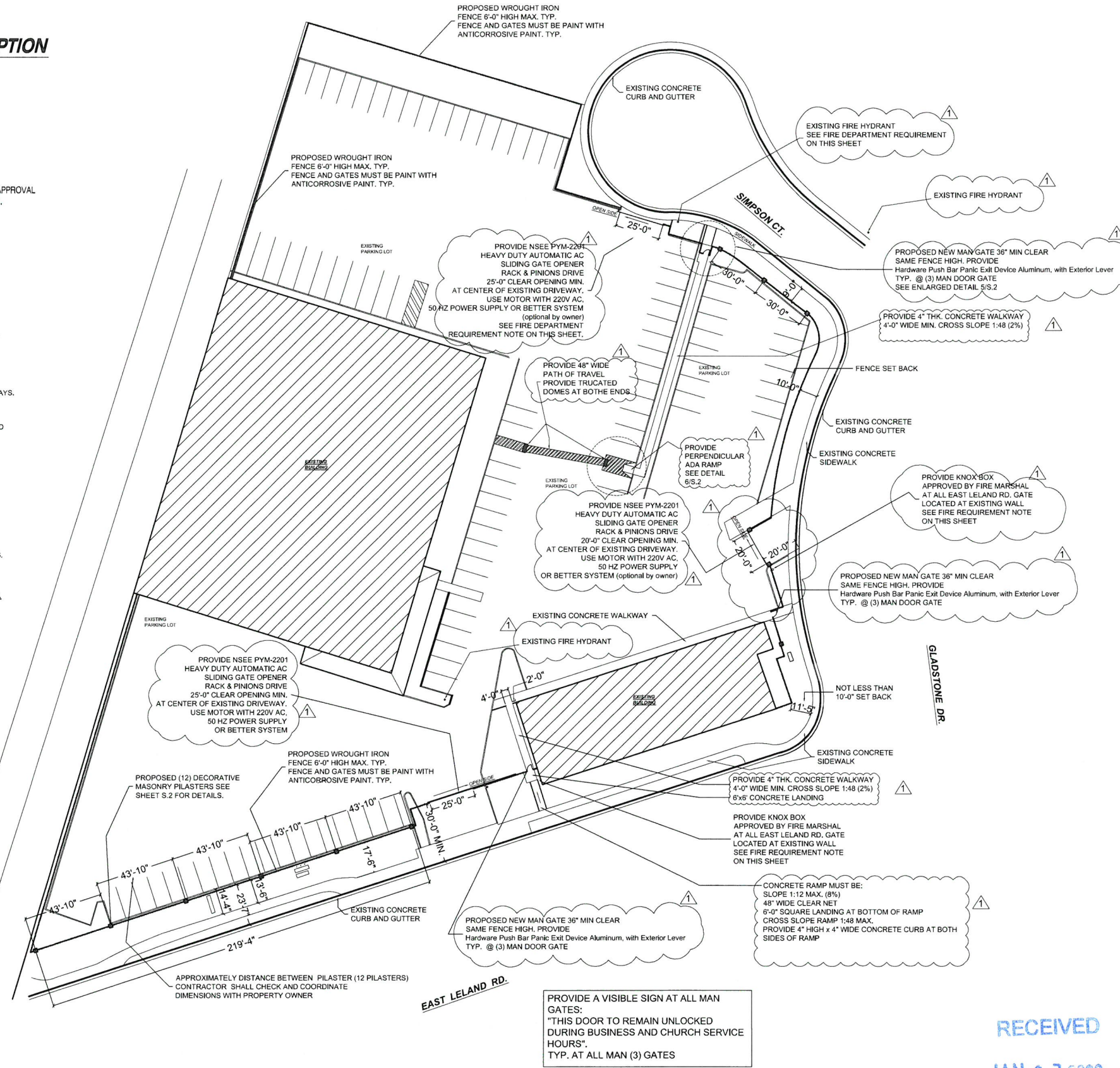
ACCESS GATES FOR FIRE DISTRICT APPARATUS SHALL BE A MINIMUM OF 20-FEET WIDE. ACCESS GATES SHALL SLIDE HORIZONTALLY OR SWING INWARD AND SHALL BE LOCATED A MINIMUM OF 30- FEET FROM THE STREET AT EAST LELAND AVE. AND 20- FEET AT GLADSTONE DR. ELECTRICALLY OPERATED GATES SHALL BE EQUIPPED WITH AN APPROVED FIRE DISTRICT LOCK.

CONTACT THE FIRE DISTRICT FOR INFORMATION ON ORDERING THE KEY-OPERATED SWITCH (D103.5 CFC)

2. FENCING SHALL NOT BE LOCATED WITHIN 3- FEET OF FIRE HYDRANT OR BLOCK THE HYDRANT IN ANY WAY.
3. Access entrances with locked gates.

Access gates, barricades or barriers across roads to private or gated communities shall provide emergency access by an approved preemption traffic control/gate access system. All other access gates shall be locked in a manner which allows for emergency access by one of the following methods:

1. A lock or chain that is not case hardened and immediately available to cut with Fire Department bolt cutters.
2. A Jock with the key available in a Fire Department approved "knox box" installed as prescribed by the Fire Chief.
3. An opening device located in an approved "knox box" installed as prescribed by the Fire Chief.
4. A preemption traffic control/gate access system that will operate upon an optical signal originating from an emergency vehicle.
5. Automatic gates shall have a battery back-up or manual mechanical disconnect readily accessible to emergency personnel in case of power failure.



1. PROPOSED WROUGHT IRON FENCE LAYOUT

SCALE 1" = 30'

RECEIVED
JAN 27 2020

PLANNING DIVISION

REVISION DATE	BY
1 FIRE DEPARTMENT PLAN CHECK 08-28-2019	EEM
2 ADD. SHEET S.3 10-09-2019 RESCUE AREA @ PARKING LOT	EEM

CONSULTANT ENGINEER:



JON D. CAMPDONICA P.E.
CIVIL ENGINEER
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(209) 538-0840
jocamp@pacbell.net

NEW DESTINY CHURCH
NEW DESTINY CHURCH
FENCE HEIGHT EXCEPTION
1411 E. LELAND RD.
PITTSBURG

AP-19-1453
CCCFPD Project No.:
P-2019-03614

CMU FENCE PILASTER:
ELEVATION
PLAN VIEW
CROSS SECTION

PROJECT OWNER &
MAILING ADDRESS:

NEW DESTINY CHURCH
1411 EAST LELAND RD.
PITTSBURG, CA 94565-5109

APH 088-570-014-6
088-570-002-1
088-570-004-7

TRACT 5854 LOTS 3 & 5

CONTRACTOR:
TJSM MANSORY
230 EAST K STREET
BENICIA, CA 94510
Contact:
TONY & YOLANDA CHAVEZ

(707) 208-2265
(707) 746-8483

DIGITAL DRAFTING TECHNOLOGY
SERVICES, LLC.
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PRINTED DATE: 10-09-2019

DATE: 03-02-2019

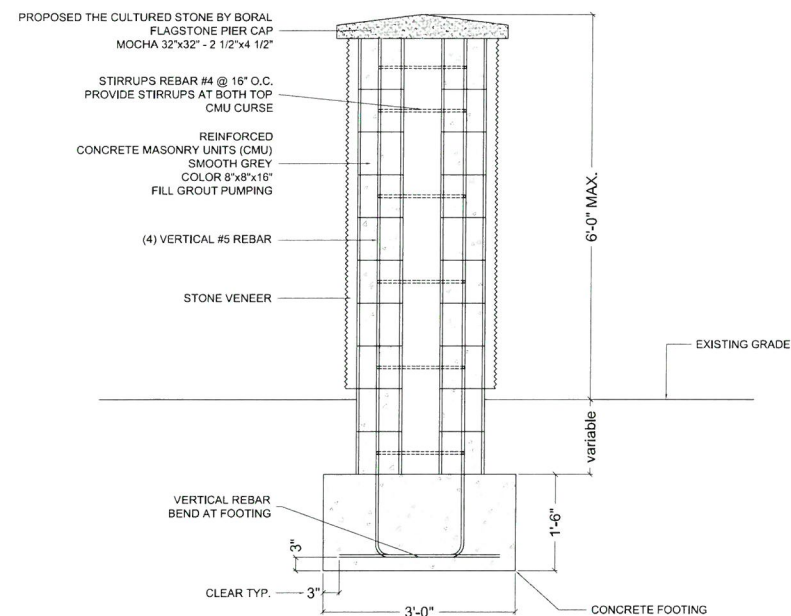
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DRAWN: E.E. MORAN

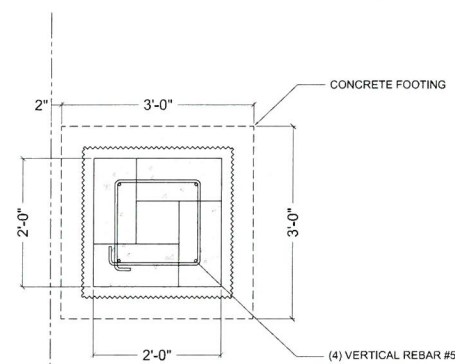
JOB: 2019-210

SHEET #: S.2

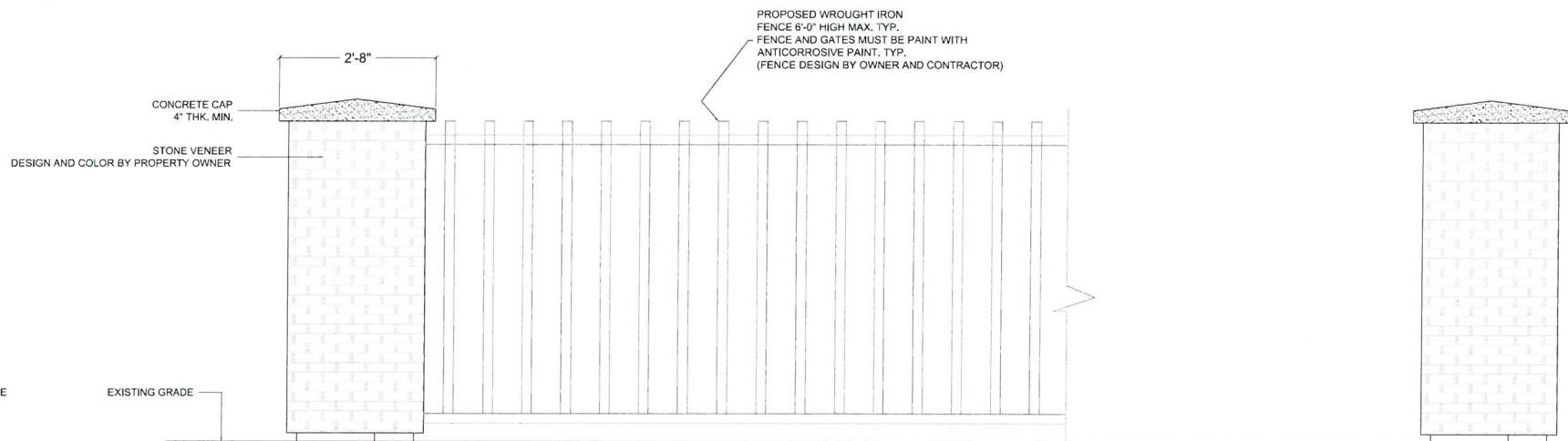
OF 3 SHEETS



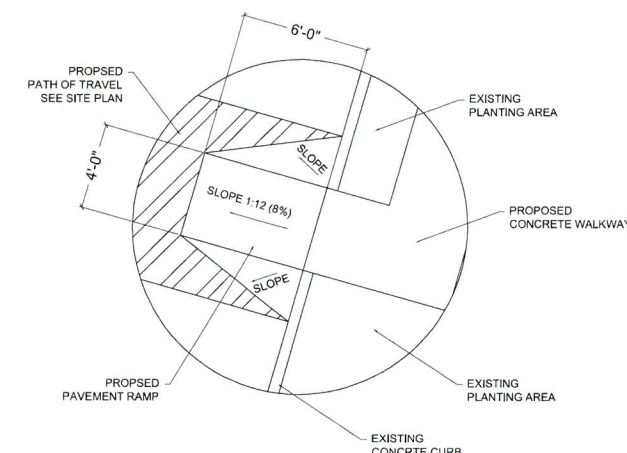
1. CMU PILASTER: cross section
SCALE 3/4" = 1'-0"



2. CMU PILASTER: plan view
SCALE 3/4" = 1'-0"



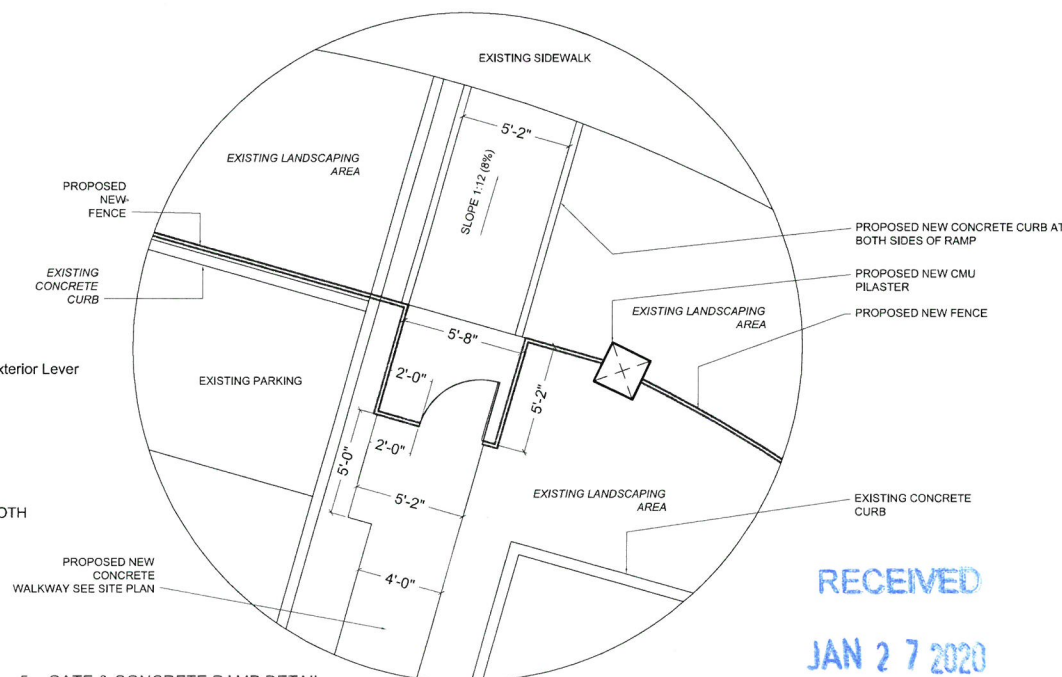
3. CMU PILASTER: elevation
SCALE 3/4" = 1'-0"



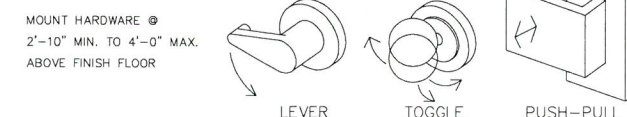
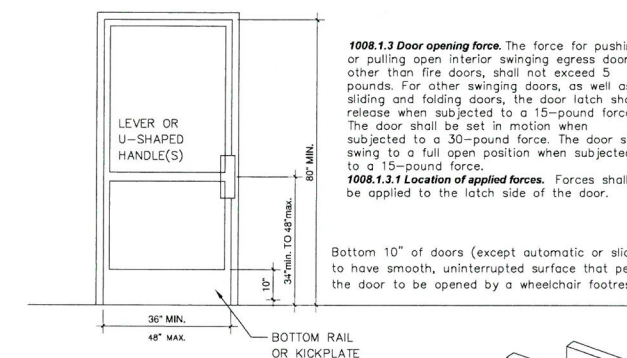
6. PROPOSED PERPENDICULAR CURB RAMP
SCALE 1/4" = 1'-0"

PROPOSED NEW MAN GATE 36" MIN CLEAR
SAME FENCE HIGH. PROVIDE
Hardware Push Bar Panic Exit Device Aluminum, with Exterior Lever
TYP. @ (3) MAN DOOR GATE

CONCRETE RAMP MUST BE:
SLOPE 1:12 MAX. (8%)
48" WIDE CLEAR NET
6'-0" SQUARE LANDING AT BOTTOM OF RAMP
CROSS SLOPE RAMP & WALKWAY: 1:48 MAX.
PROVIDE 4" HIGH x 4" WIDE CONCRETE CURB AT BOTH
SIDES OF RAMP



5. GATE & CONCRETE RAMP DETAIL
SCALE 1/4" = 1'-0"



4. ACCESS DOOR & HARDWARE: NOTES & LAYOUTS

PLANNING DIVISION

RECEIVED
JAN 27 2020

REVISION DATE	BY
1 FIRE DEPARTMENT PLAN CHECK 08-28-2019	EEM
2 ADD. SHEET S.3 10-09-2019 RESCUE AREA @ PARKING LOT	EEM

CONSULTANT ENGINEER:



JON D. CAMPIDONICA P.E.
CIVIL ENGINEER
LIC. 61969
2712 River Valley Circle
Modesto, CA 95351
(209) 538-0840
jbcamp@pacbell.net

NEW DESTINY CHURCH
NEW DESTINY CHURCH
FENCE HEIGHT EXCEPTION
1411 E. LELAND RD.
PITTSBURG

AP-19-1453
CCCFPD Project No.:
P-2019-03614

PROJECT OWNER & MAILING ADDRESS:

NEW DESTINY CHURCH
1411 EAST LELAND RD.
PITTSBURG, CA 94565-5109

APN 088-570-014-6
088-570-002-1
088-570-004-7

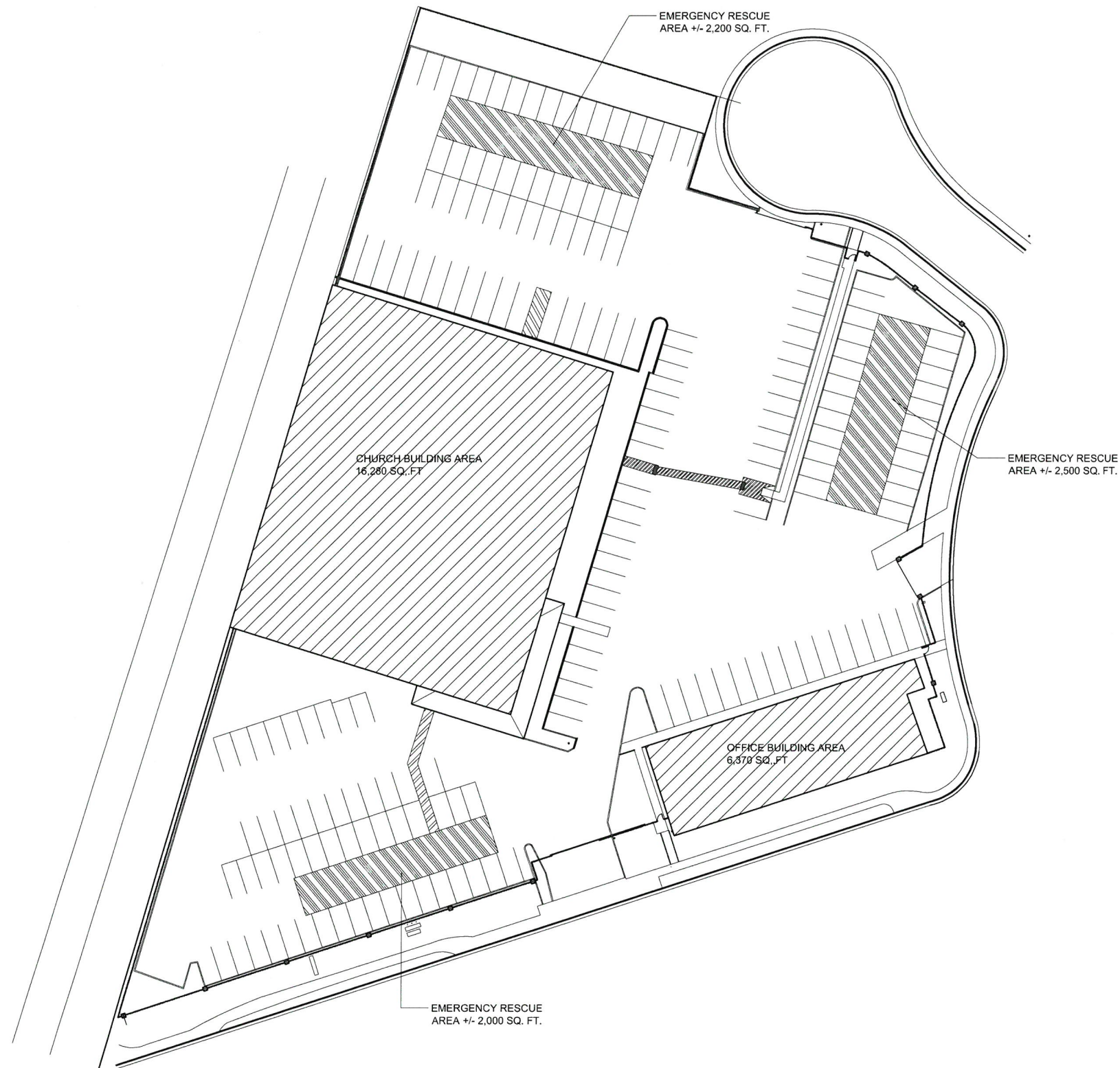
TRACT 5854 LOTS 3 & 5

CONTRACTOR:
TJM MANSORY
230 EAST K STREET
BENICIA, CA 94510
Contact:
TONY & YOLANDA CHAVEZ

(707) 208-2265
(707) 746-8483

DIGITAL DRAFTING TECHNOLOGY SERVICES, LLC.
E. EDUARDO MORAN
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(209) 620-2208
ARCHDRAFTING2009@YAHOO.COM
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PRINTED DATE: 10-09-2019
DATE: 03-02-2019
SCALE: As Shown
DRAWN: E.E. MORAN
JOB: 2019-210
SHEET #: S.3
OF 3 SHEETS



1. EMERGENCY FIRE RESCUE AREA AT PARKING LOT
SCALE 1" = 30'

RECEIVED

JAN 27 2020

PLANNING DIVISION

October 31, 2019

Gail Knowles
New Destiny, Inc.
Pittsburg, CA 94565
925-439-8989 | gknowles@newdestiny.online

RECEIVED
NOV 04 2019
PLANNING DIVISION

Re: Arborist Report for New Destiny Church, 1411 E. Leland Road, Pittsburg

Dear Gail,

Per your request, I visited the New Destiny Church to assess trees that would be affected by the proposed fence project. Per our email and on-site discussion, I focused on twelve trees on the property that are proposed for removal.



Figure 1. Twelve trees (eucalyptuses #262-267 shown above) are in conflict with the proposed fence and will need to be removed.

Project Summary

The church property encompasses the parcel northwest of the Gladstone Drive & E Leland Road intersection. The church building is located at the center of the property against the west property line, and a smaller commercial building sits at the southeast corner. Both structures are entirely surrounded by parking lot, with landscaping confined to small planters.

The site is currently open and accessible via three entrances. The proposed project will install fencing around the entire property, with concrete pilaster walls along E. Leland Road. New gates will be installed at the three entrances, and a man gate will be installed off Simpson Court. The trees discussed within this arborist report are located in the path of the proposed fence and will need to be removed for its construction.

Assumptions & Limitations

This report is based on my site visit on 10/24/19 and the proposed wrought iron fence layout plan by Digital Drafting Technology Services LLC dated 3/2/19. It was assumed that the proposed improvements were accurately surveyed. The trees were not surveyed, so I approximately located them on my tree inventory plan. Since my tree locations are approximate, I defer to the removal request per Church staff, assuming the fencing contractor identified these trees as conflicts.

The health and structure of the trees were assessed visually from ground level. No drilling, root excavation, or aerial inspections were performed. Internal or non-detectable defects may exist and could lead to part or whole tree failures. Due to the dynamic nature of trees and their environment, it is not possible for arborists to guarantee that trees will not fail in the future.

Tree Inventory & Assessment Table

#s: Each tree was given a square metal tag with numbers ranging from #255-267 (#260 tag was missing). Their locations are given in the tree location plan.

DBH (Diameter at Breast Height): Trunk diameters in inches were measured at 4.5' above average grade with a diameter tape. Diameters were estimated when trunks were flush to the fence and prevented measurement.

Health & Structural Condition Rating

Dead: Dead or declining past chance of recovery.

Poor (P): Stunted or declining canopy, poor foliar color, possible disease or insect issues. Severe structural defects that may or may not be correctable. Usually not a reliable specimen for preservation.

Fair (F): Fair to moderate vigor. Minor structural defects that can be corrected. More susceptible to construction impacts than a tree in good condition.

Good (G): Good vigor and color, with no obvious problems or defects. Generally more resilient to impacts.

Dripline: Canopy radius was visually estimated in each cardinal direction if the canopy was asymmetrical; otherwise the canopy diameter was estimated.

Age

Young (Y): Within the first 20% of expected life span. High resiliency to encroachment.

Mature (M): Between 20% - 80% of expected life span. Moderate resiliency to encroachment.

Overmature (OM): In >80% of expected life span. Low resiliency to encroachment.

#	Species	DBH	Health	Structure	Dripline				Age	Comments	Action
					N	E	S	W			
255	Willow-leaved peppermint (<i>Eucalyptus nicholii</i>)	20.5	F-P	F-P	6	20	10	15	M	Sparse canopy with large diameter dieback. Co-dominant stems at 10'. Narrow planter. Base of trunk flush to fence. In proposed fence.	Remove.
256	Willow-leaved peppermint	24.5	F	F	18	18	10	20	M	Cracking curb. Co-dominant stems with narrow attachment at 10' and elongated scaffold branches. Pushing against fence. In proposed fence.	Remove.
257	Willow-leaved peppermint	26	G	P	15	0	0	20	M	Trunk flush to fence; DBH estimated. Secondary branch broke at 12'; half of canopy lost. Remaining half is imbalanced/heavy over neighboring property. In proposed fence.	Remove.
258	Canary Island pine (<i>Pinus canariensis</i>)	29	G	F	20	20	20	20	M	Canopy raised to half of height. Co-dominant tops. Elongated lower scaffold branches. 2' from proposed gate podium and concrete walkway.	Remove.
259	Canary Island pine	29.5	G	F	20	20	20	20	M	Canopy raised to half of height. Elongated lower scaffold branches. In proposed fence.	Remove.
261	Canary Island pine	27.5	G	F	15	15	15	10	M	Large vertical scaffold branch at 15'. Proposed fence 4' from tree.	Remove.
262	Willow-leaved peppermint	21.5	VP	F	8N				OM	Nearly dead, remaining foliage is epicormic sprouts. Co-dominant stems at 7'. Cracked curb. In proposed fence.	Remove.
263	Willow-leaved peppermint	16	P	F-P	12	0	0	20	OM	Very sparse canopy. Fence flush to base of trunk. In proposed fence.	Remove.
264	Willow-leaved peppermint	18	Dead							In proposed fence.	Remove.
265	Willow-leaved peppermint	22	P	P	0	10	0	18	OM	DBH estimated; trunk flush to fence. Half dead & remaining canopy is sparse. Co-dominant stems at 8'; one scaffold branch dead. In proposed fence.	Remove.
266	Willow-leaved peppermint	18	F-P	F-P	20NE-E				M	Base of trunk flush to fence. South scaffold branch dead; sparse canopy. Phototropic lean to NE. In proposed fence.	Remove.
267	Willow-leaved peppermint	25	F-P	F-P	20	12	10	25	M	Base of trunk flush to fence. Sparse canopy. Lifting curb and asphalt. Multiple stems at 15'; scaffold branches tall & elongated with little branching. In proposed fence.	Remove.

Discussion

Trees #255-257, 259 & 262-267 are all in the proposed fence and cannot be saved. Two Canary Island pines are not in the direct line of the fence but were also identified as conflicts by the Church staff. Tree #258 is 2' from the proposed concrete walkway & fence, while tree #261 is 4' away. I also reviewed Google Street View imagery and found that the existing parking lot next to these trees used to be landscape but was paved within the last 2 years



Figure 2. Pines #258, 259, and 261 (left to right) are in or within 4' of the proposed fence. The parking lot in the center was recently constructed.

(Figure 2). Paving would have removed the majority of the smaller surface roots, which are important for absorption of water and nutrients, and subjected the remaining roots to significant compaction. Construction impacts can take up to a decade to manifest, but I anticipate that these trees will eventually show symptoms of decline. Since the trees were previously affected by construction, I support their removal.

Unless the fencing was moved further into the existing parking lot, outside the existing planters, the trees cannot be saved. This is not a likely or logical option for constructing the new fence.

Re: Protected tree status

None of the trees are California native species; the pines are native to the Canary Islands and the eucalyptuses to Australia. All twelve trees may be considered protected trees based on trunk diameter ($\geq 15.6''$) alone. However, one eucalyptus (#264) is dead, while three other eucalyptuses (#262, 263, 265) are in poor condition & do not provide benefits expected of trees their size. Their removal would not create a significant deficit in tree canopy & screening, since there is a parallel line of trees on the neighbor's property. The final determination is to be made by the city planner, but in my opinion, the four trees provide insufficient benefit and should not be considered protected trees. The remaining trees offer reasonable benefits and would meet the protected tree criteria.



Figure 3. Trees #262 & 263 are in very poor condition (canopies shown are actually from off-site trees) and should not be considered "protected".

Thank you for the opportunity to provide this report. *Please see attached tree location plan.*

Sincerely,

Jennifer Tso
Certified Arborist #WE-10270A
Tree Risk Assessor Qualified

NEW DESTINY CHURCH
 1411 EAST LELAND RD.
 PITTSBURG, CA 94565-5109

REVISION DATE BY
 FIRE DEPARTMENT
 CALIFORNIA, 10/20/19
 ERM

CONSULTANT ENGINEER:



J. CAMACHO
 CIVIL ENGINEER
 2722 River Valley Circle
 Modesto, CA 95851
 jcamacho@ermsi.com

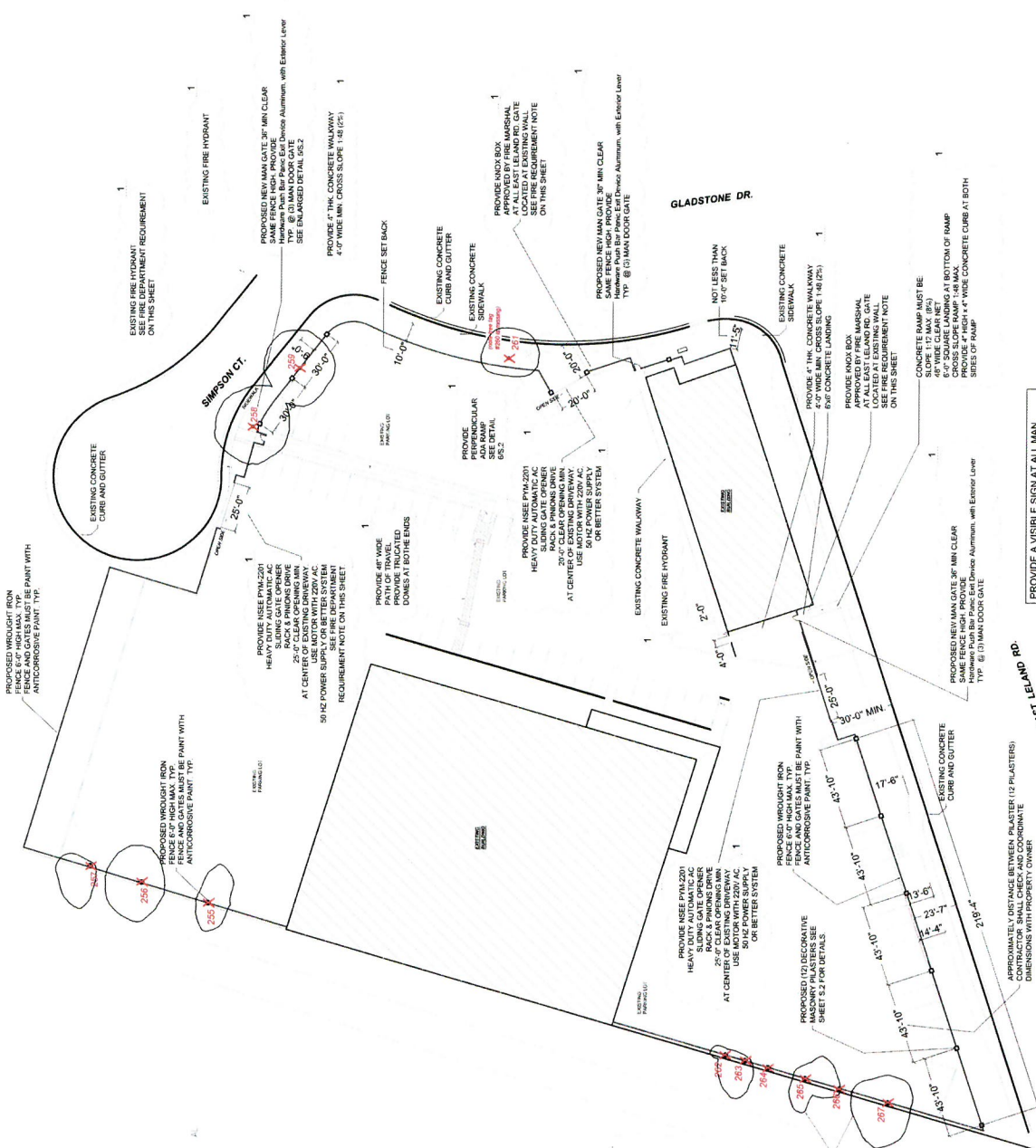
NEW DESTINY CHURCH
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PITTSBURG, CA 94565-5109
 APN 088-570-014-6
 088-570-002-1
 088-570-004-7

TRACT 5854 LOTS 3 & 5
CONTRACTOR:
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 INFO@DRAFTINGTECHNOLOGY.COM

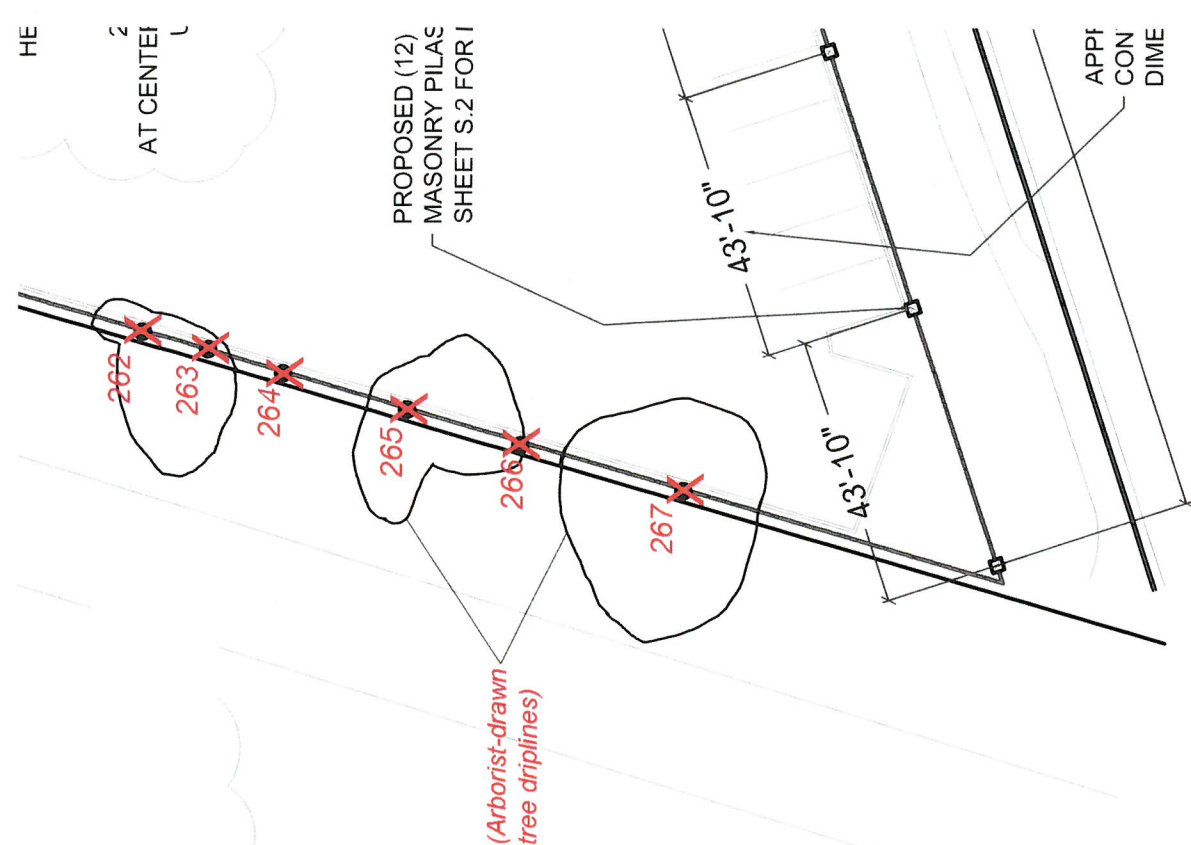
DATE: 09-13-2019
DATE: 03-02-2019
SCALE: As Shown
DRAWN: E.E. MORAN
JOB: 2019-210
SHEET #: S.1
OF 2 SHEETS



PROVIDE A VISIBLE SIGN AT ALL MAN GATES TO REMAIN UNLOCKED DURING BUSINESS AND CHURCH SERVICE HOURS.
 TYP. AT ALL MAN (B) GATES

TREE INVENTORY PLAN
 By: Jennifer Iso
 Certified Arborist #WE-10270A
 Traverso Tree Service, Inc.
 October 31, 2019
 (drawn on fence layout plan)

1. PROPOSED WROUGHT IRON FENCE LAYOUT
 SCALE 1" = 30'



TREE INVENTORY PLAN
 By: Jennifer Tso
 Certified Arborist #WE-10270A
 Traverso Tree Service, Inc.
 October 31, 2019
(drawn on fence layout plan)

1. PROPOSED

SCALE 1" = 30'



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 ZONING ADMINISTRATOR of the City of Pittsburg will conduct a public hearing on:

DATE: February 4, 2020
TIME: 1:30 p.m.
PLACE: First Floor, Conference Room 4B
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA).

This is an application by Gail Knowles on behalf of New Destiny Church, requesting Zoning Administrator approval of a fence height exception to allow a six-foot-tall wrought-iron fence within the front and corner side yard setback, where the maximum height permitted is three feet, and a tree removal permit to remove three protected trees. The project is located at 1411 East Leland Road in the CC (Community Commercial) District. Assessor's Parcel Nos. 088-570-002, -004, and -014.

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

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

Where can I get more information about this project?

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

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

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

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

KRISTIN POLLOT, AICP, ZONING ADMINSTRATOR
CITY OF PITTSBURG

Project Title: New Destiny Church Fence Height Exception and Tree Removal Permit, AP-19-1453 (ZA).
Location: 1411 E. Leland Road, APNs: 088-570-002, -004, -014

