



City of Pittsburgh Zoning Administrator Agenda

June 10, 2020

Zoning Administrator Agenda (Virtual Meeting)

02:00 PM

Please click the link below to join:

<https://us02web.zoom.us/j/81884580498?pwd=WGNmVWIEUW1WazNOby8rZ2xnYTFIdz09>

Enter Meeting ID: 818 8458 0498

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CALL TO ORDER

DELETIONS, WITHDRAWALS OR CONTINUANCES

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

PUBLIC HEARING

1. Los Gallos Express - Panaderia, AP-20-1506 (ZA, AD)

This is a public hearing on a request for Zoning Administrator approval to establish a 2,400 square-foot, take-out bakery in an existing, multi-tenant commercial space, and administrative design review approval to construct a 960 square-foot roof over-hang that would provide a covered parking space for a mobile food truck, at 260 Diane Avenue in the RS-5 (Single-Family Residential, 5,000 Square Foot Minimum) District. Assessor's Parcel Numbers: 073-181-011 and 073-181-012

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)



Memorandum

MEMO: June 10, 2020
TO: Zoning Administrator
FROM: John Dacey, Assistant Planner
RE: **Los Gallos Express - Panaderia, AP-20-1506 (ZA, AD)**

ORIGINATED BY: Stephanie Felch, PO Box 291, Monte Rio, CA 95462

SUBJECT: This is a public hearing on a request for Zoning Administrator approval to establish a 2,400-square-foot, take-out bakery in an existing, multi-tenant commercial space, and administrative design review approval to construct a 960-square-foot roof over-hang that would provide a covered parking space for a mobile food truck, at 260 Diane Avenue in the RS-5 (Single-Family Residential, 5,000 Square Foot Minimum) District. Assessor's Parcel Nos. 073-181-011 and 073-181-012.

RECOMMENDATION: Staff recommends the Zoning Administrator adopt Resolution No. 356 approving Zoning Administrator and Administrative Design Review Application No. 20-1506, subject to conditions.

BACKGROUND:

This vacant commercial space previously housed church services by United Nations Christian Center. On April 5, 2016 the adjacent commercial space received Zoning Administrator approval to operate as a restaurant and is currently occupied by Taqueria Los Gallos. On June 12, 2019, administrative design review approval was granted to remodel and repaint the exterior façade of the building, construct a new 120 square-foot trash enclosure, and restripe the existing parking lot located at the site. On July 11, 2019, a fence height exception was approved to allow a six-foot-tall wrought iron fence within the front yard setback.

This application was filed on March 10, 2020. The Notice of Intent to Conduct a Zoning Administrator Public Hearing for this item was provided to the Planning Commission on April 14, 2020.

PROJECT DESCRIPTION:

Existing Conditions: The subject site is located in the Biltmore Subdivision. It is made up of two adjacent interior lots totaling 12,800 square feet, and is developed with a non-

conforming 4,800 square-foot, multi-tenant commercial building constructed in 1938. Similar non-conforming commercial buildings are located to the east and south of the site. Single-family homes are located to the west and undeveloped land is located to the north. As previously mentioned, Taqueria Los Gallos is the adjacent tenant, and is in the process of completing interior tenant renovations. The vacant commercial space currently has a main access entrance located along the Diane Avenue frontage, and an egress exit exists at the rear of the unit.

Proposed Project: The applicant is requesting Zoning Administrator approval to establish a take-out bakery. The bakery would sell Mexican baked goods directly to customers at the proposed retail area of the shop. Improvements within the interior of the space include the construction of a walk-in cooler, a walk-in freezer, dunnage racks, shelving, work tables, a griddle, a fryer, a stove, bread display cases, and a cashier service area. The applicant has requested operating hours for the bakery of 8:00 a.m. to 9:00 p.m. daily.

In addition, the applicant is also requesting administrative design review approval for the construction of a 960-square-foot roof over-hang at the rear of the building to allow for a mobile food truck to be stored. The mobile food truck will be operated by the adjacent taqueria. Other minor improvements to the exterior include the removal of six windows and the existing rear door, and the construction of a new, two-door entrance at the rear (See Attachment 2, Site Plan).

CODE COMPLIANCE:

The subject site is located in the RS-5 (Single-Family Residential, 5,000 Square Foot Minimum) District. Pittsburg Municipal Code (PMC) section 18.50.010, the use of a take-out restaurant in the RS-5 District is subject to Zoning Administrator approval. Limitation No. 161 from the land use table within that section further specifies that establishment of a take-out restaurant within the district can only occur if the use is: 1) located within an existing structure that was built prior to October 20, 2010; 2) located within 300 feet of an existing collector/arterial roadway; and 3) not located within a single-family home or any other residential structure that was constructed for exclusive use as a dwelling unit. The existing building was constructed in 1938, is located 250 feet north of California Avenue, which is designated as a minor arterial in the Pittsburg General Plan, and is a commercial structure. This proposed bakery would not have only wholesale distribution, only take-out sales from the retail area.

The proposed roof over-hang will be 14 feet in height and extend 12 feet from the back of the current building. The development standards for the RS-5 District are listed in PMC section 18.50.010 and require a 10-foot rear yard setback, however PMC section 18.80.010(A) allows for a cornice, eave, overhang and ornamental feature to project up to two and one-half feet into a required yard. As proposed, the roof over-hang would project two feet into the rear yard setback.

Parking: Per the schedule in PMC section 18.78.040(F), a take-out restaurant requires one off-street parking space per 150 square feet of service area. The proposed service area of the take-out bakery is 285 square feet would require two off-street parking spaces. The existing parking lot on the site has 11 off-street parking spaces. Parking requirements for the adjacent taqueria was determined to be nine off-street parking spaces, based off of the total of 34 seats within the restaurant. With two available off-street parking spaces available, this project will comply with off-street parking requirements. As the number of required off-street parking spaces is less than five, no bicycle parking is required, however the previous Zoning Administrator approval for the adjacent restaurant did require parking for at least one bicycle be provided on the site.

Required Findings: Limitation No. 161 from the land use table with PMC section 18.50.150, states that Zoning Administrator approval is required for a new take-out restaurant in accordance with PMC Section 18.16.040. PMC section 18.16.040 specifies required findings for approval of a use permit. In accordance with that section, and prior to Zoning Administrator approval of this project, the Zoning Administrator must make the following findings that the proposed use:

- A. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
- B. is not detrimental to the health, safety, and general welfare of the City;
- C. will not adversely affect the orderly development of property within the City;
- D. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City;
- E. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
- F. will not create a nuisance or enforcement problem within the neighborhood;
- G. will not encourage marginal development within the neighborhood;
- H. will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints imposed by law;
and,
- I. is consistent with the City's approved funding priorities.

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

Design review approval may be granted by the Zoning Administrator only after a determination is made that the proposed project is consistent with PMC section 18.36.220 (B), which is summarized below:

- A. the structures conform with good taste, good design and in general contribute to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality;
- B. the structures will be protected against exterior and interior noise, vibrations, and other factors that may tend to make the environment less desirable;
- C. the exterior design and appearance of the structures are not of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
- D. the structures are in harmony with proposed developments on land in the general area; and,
- E. the application conforms with the criteria set forth in any applicable City- adopted design guidelines, specifically, the Development Review and Design Guidelines (DRDGs).

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

Public Noticing: On or prior to May 31, 2020, notice of the June 10, 2020 public hearing was posted at City Hall, near the subject site, and on the 'Public Notices' section of the city's website; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Diane Ave", "El Pueblo" and "Stone Harbour" neighborhoods.

STAFF ANALYSIS:

Staff believes that the Zoning Administrator can make the required findings to approve the request for a take-out bakery at 260 Diane Avenue, subject to conditions. The following analysis provides support for the findings set forth in PMC section 18.16.040.

The proposed use is in accord with the objectives of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location in that a take-out bakery is conditionally permitted in the RS-5 District, according to the Pittsburg Municipal Code. The proposed use would provide for a new destination to support development and would facilitate a walking-distance food establishment for nearby residents. In addition, the unit is currently vacant and the establishment of the use on would promote infill development and the reuse of existing vacant sites in the city, both goals contained within the General Plan.

The proposed use is appropriate for this site and building in particular, in that Los Gallos Express is proposing to occupy, a space that is currently vacant. The proposed use would generate sales tax revenue for the City. Staff does not believe that the proposed restaurant hours of 8:00 a.m. to 9:00 p.m. would lead to a nuisance or enforcement problem; conversely, the proposed use would put more eyes on the street during evening hours.

To ensure that the proposed use is not detrimental to the health, safety and general welfare of the City, staff recommends that the Zoning Administrator approve certain operational conditions for the take-out bakery. Specifically, staff recommends that the Zoning Administrator adopt conditions requiring that the property owner/business owner obtain all necessary permits from the Contra Costa Health Services, the Fire Department and Building Division, prior to operation (Condition No. 26).

Staff does not believe that the proposed use would adversely affect the orderly development of property within the City, in that the proposed use would occupy a currently vacant commercial tenant space; however, staff does require that the applicant apply for a sign review permit before any signs are placed on the site (Condition No. 4).

Other conditions in the proposed resolution, include a prohibition against outdoor storage of materials (Condition No. 10) and standard conditions related to stormwater requirements applicable to eating and drinking establishments (Condition Nos. 11 through 23), which are intended to minimize the nuisance potential associated with the proposed use.

Staff believes the proposed use is consistent with the City's approved funding priorities, in that the use would contribute to the local employment and tax base and would support the promotion of Pittsburg as a destination for other retail and service businesses.

Lastly, the proposed new roof overhang would match the existing color scheme of the commercial building, and the colors of surrounding buildings in the area. A proposed

Zoning Administrator Staff Report
Los Gallos Express - Panaderia, AP-20-1506 (ZA, AD)
June 10, 2020

wall-mounted wood trellis for a climbing vine is proposed along the southern elevation will break up the blank wall and improve the overall appearance of the entire site.

REQUIRED ACTION:

Move to adopt Resolution No. 356, approving Zoning Administrator and Administrative Design Review Application No. 20-1506, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution No. 356
2. Project Plans and Site Photos, dated March 10, 2020
3. Public Hearing Notice/Vicinity Map

PROPOSED
BEFORE THE ZONING ADMINISTRATOR OF THE CITY OF PITTSBURG

In the Matter of:

Resolution Granting Zoning Administrator)
Approval to Establish a 2,400 Square-)
Foot, Take-Out Bakery in an Existing) Resolution No. 356
Multi-Tenant Commercial Space, and)
Administrative Design Review Approval)
to Construct a 960-Square-Foot Roof
Over-Hang to Provide a Covered Parking
Space for a Mobile Food Truck at 260
Diane Avenue, for “Los Gallos Express -
Panaderia, AP-20-1506 (ZA, AD).”

The Zoning Administrator DOES RESOLVE as follows:

Section 1. Background

- A. On March 10, 2020, Stephanie Felch filed Planning Application No. 20-1506, requesting approval to establish a 2,400-square-foot, take-out bakery in an existing, multi-tenant commercial space, and administrative design review approval to construct a 960-square-foot roof over-hang that would provide a covered parking space for a mobile food truck, located at 260 Diane Avenue, in the RS-5 (Single Family Residential, 5,000 Square Foot Minimum Lot Size) District. Assessor’s Parcel Numbers 073-181-011 and 073-181-012.
- B. The proposed project is governed by the policies and development standards in the Pittsburg General Plan, Pittsburg Municipal Code (PMC) Title 18 (Zoning), and the City of Pittsburg Development Review and Design Guidelines (Planning Commission Resolution No. 9864).
- C. On September 25, 2012, the Planning Commission adopted Resolution No. 9918, delegating certain types of design review projects to the Zoning Administrator. Design review of the project is delegate to the Zoning Administrator under Category 3, “Minor Building Remodels” of Planning Commission Resolution No. 9918.
- D. On April 14, 2020, a Notice of Intent to exercise staff delegated authority for this project was included on the Planning Commission agenda.
- E. This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 1, “Existing Facilities” of the State CEQA Guidelines, section 15301.

- F. On or prior to May 31, 2020, notice of the June 10, 2020 public hearing was posted at City Hall, near the subject site, and on the 'Public Notices' section of the city's website; and was mailed via first class or electronic mail to the applicant, to the property owner, to owners of property located within 300 feet of the project site, and to individuals who had previously filed written request for such notice, in accordance with Pittsburg Municipal Code (PMC) section 18.14.010 and Government Code section 65091. The notice was also posted on www.nextdoor.com (Nextdoor) and was sent directly to all subscribed residents in the "Diane Ave", "El Pueblo" and "Stone Harbour" neighborhoods.
- G. Limitation No. 161 from the land use table within PMC section 18.50.010, states that Zoning Administrator approval is required for a new take-out bakery in accordance with PMC Section 18.16.040. PMC Section 18.16.040, specifies required findings for approval of a use permit. In accordance with that section, and prior to Zoning Administrator approval of this project, the Zoning Administrator must make the following findings that the proposed use:
1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;
 2. is not detrimental to the health, safety and general welfare of the City;
 3. will not adversely affect the orderly development of property within the City;
 4. will not adversely affect the preservation of property values;
 5. is consistent with the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints; and,
 9. is consistent with the City's approved funding priorities.
- H. Design review approval can be granted by the Zoning Administrator only after a determination is made that the proposed project is consistent with PMC section 18.36.220(B).

- I. On June 10, 2020, the Zoning Administrator held a public hearing on Planning Application No. 20-1506, at which time oral and/or written testimony was considered.

Section 2. Findings

- A. Based on the Zoning Administrator Staff Report entitled, “Los Gallos Express - Panaderia, AP-20-1506 (ZA, AD),” dated June 10, 2020, and based on all the information contained in the Planning Division files on the project, incorporated herein by reference and available for review in the Planning Division located at 65 Civic Avenue in Pittsburg, and based on all written and oral testimony presented at the meeting, the Zoning Administrator finds that:

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

Use Permit

2. The proposed take-out bakery will be located within an existing commercial structure that was built in 1938 and is within 300 feet of California Avenue, which is an existing minor arterial roadway.
3. Establishment of the take-out bakery:
 - a. Is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location, in that a take-out restaurant is conditionally permitted in the ‘RS-5’ Zoning District and in that the applicant has filed Zoning Administrator Application No. 20-1506 requesting the approval in accordance with PMC Section 18.52.010.
 - b. Will not be detrimental to the health, safety and general welfare of the City, if: 1) the applicant completes all work required by the Contra Costa County Fire Protection District and the Pittsburg Building Division before occupancy; and 2) all appropriate approvals to operate the bakery are obtained from Contra Costa Health Services.
 - c. Will not adversely affect the orderly development of property within the City, if noise generated by the business or its patrons is not audible beyond the property lines.

- d. Will not adversely affect the preservation of property values, in that: 1) the proposed use would occupy a currently vacant commercial space, thereby reducing the number of vacant commercial spaces in Pittsburg; and, 2) the increased investment in the area will help encourage similar investments on nearby properties.
- e. Is consistent with the General Plan in that the proposal will further goals 2-G-6 and 2-G-7 by promoting infill development and the reuse of existing vacant or underutilized sites which would otherwise not be feasible for residential use.
- f. Will not create a nuisance or enforcement problem, if: 1) the applicant completes all work required by the Contra Costa County Fire Protection District and the City's Building Division before occupancy; and 2) all appropriate approvals to operate the restaurant are obtained from Contra Costa Health Services.
- g. Will not encourage marginal development within the neighborhood, in that it will result in the occupancy of a vacant space.
- h. Will not create a demand for public services within the City beyond that of the ability of the City to meet in the light of taxation and spending restraints, in that it will be a tax-generating commercial use in an existing vacant space.
- i. Is consistent with the City's approved funding priorities, in that it will contribute to the local employment and tax base.
- j. Will not be located in a Pedestrian Commercial (CP) District.

Design Review

- 4. The 960 square-foot roof over-hang:
 - a. Will conform with good taste, good design and in general will not detract from the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vista, and high quality, if a condition is added requiring that the new over-hang match the existing color scheme of the commercial building. The proposed over-hang would also be located at the rear of the property, and therefore be obscured from the public right-of-way.

- b. Will be protected against exterior and interior noise, vibration and other factors that may tend to make the environment less desirable, in that it will provide a covered parking space for a mobile food truck with no persons occupying the space.
- c. Will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value, in that it will match the color scheme of the recently remodeled and repainted commercial building.
- d. Will be in harmony with proposed developments on land in the general area, in that it will be of the same height as the existing structure and will be painted to match the existing structure and coordinate with surrounding buildings.
- e. The project will be in conformance with the City's adopted DRDGs, specifically section VV.p, in that the project' color palette is compatible with adjacent development.

Section 3. Decision

Based on the findings set forth above, the Zoning Administrator hereby approves Planning Application No. 20-1506, subject to the following conditions:

1. Reference to Project Plans: The approved use shall be operated in a manner substantially as presented to the Zoning Administrator in the staff report identified above and as presented in the project plans, dated March 10, 2020, except as may be hereinafter modified. Operation of the approved take-out bakery in a manner inconsistent with this use permit shall be grounds for revocation of the approval.
2. Exterior Color. The roof over-hang shall be painted Sherwin Williams 7701 "Cavern Clay" or a similar light brown color, and Sherwin Williams 7554 "Steamed Milk" or a similar off-white color, to that of the commercial building, including any beam, posts and gates associated with the structure.
3. Building Façade Enhancements. The applicant shall provide a wall mounted wood trellis for a climbing vine along the southern facade to help break up the appearance of a large, solid unarticulated wall. Final design and location of the trellis shall be subject to review and approval by the Planning Division prior to the issuance of a building permit

4. Signs. This resolution does not approve on-site signage. Modification of all permanent wall signs, or installation of temporary, promotional, or event signs and banners must be submitted to the Planning Division for review and approval under a separate sign permit application before such signs are placed on the site.
5. On-Site Parking. The applicant shall provide a minimum of two (2) parking spaces. Parking spaces shall be located within the parking lot at the northern end of the site, as shown on the project plans.
6. Exterior Appearance. The exteriors of all structures shall be maintained in a good state of repair and the exterior finishes must be clean and well maintained.
7. Site Maintenance. The applicant shall ensure that the site is maintained in a neat and clean manner at all times. Trash, debris, weeds and/or other unkempt shrubbery shall not be allowed to accumulate on or around the site, on perimeter fencing, or on the street gutters and sidewalks.
8. Trash Enclosure. The trash enclosure on site shall be consistent with the City of Pittsburg Trash Enclosure Design Standards. Should the existing trash enclosure be inadequate, any expansion should accommodate refuse recycling and organics.
9. Fence. Prior to obtaining a certificate of occupancy, an eight-foot-high solid masonry or concrete wall or a wall designed to attenuate the CNEL to the maximum level allowed in the general plan for the proposed land use must adjoin the rear property line of the site, abutting the existing residential development.

Maintenance and Best Management Practices:

10. There shall be no outside storage of garbage, recycling, materials, supplies, bins, pallets, containers or other equipment related to the restaurant or any other use on the site.
11. The sidewalks adjacent to the building shall be maintained in a neat and clean manner, free of trash and debris.
12. The applicant shall ensure that the dumpster/trash enclosure area is swept daily and that the debris is disposed of properly.
13. The applicant shall ensure that all employees and personnel are educated about pollution prevention and Best Management Practices.

14. The applicant shall ensure that employees bag and seal food waste prior to placing it into the dumpsters.
15. The applicant shall ensure that lids are kept closed on all tallow bins, and that they are maintained so as to avoid spillage, leaking, and/or overflowing.
16. The applicant shall ensure that all floor drains inside the restaurant are connected to the sanitary sewer.
17. The applicant shall hire only mobile surface cleaners that have been trained and are recognized by the Bay Area Stormwater Management Agencies (BASMAA), for cleaning of the parking and paved areas.
18. The applicant shall ensure the employees use dry cleanup methods where applicable.
19. The applicant shall ensure that employees clean equipment, collect water and cleaning liquids, and dispose of water and cleaning liquids to the sanitary sewer, not to the exterior storm drain system or to any storm drain inlets/catch basins.
20. The applicant shall not allow floor mats to be cleaned or rinsed outdoors unless in a mop sink or bermed area draining to the sanitary sewer.
21. The applicant shall ensure that detergents/degreasers are never used in the process of outdoor cleaning.
22. Applicant to install grease interceptor and dispose of grease appropriately by contracting with a service to pick up used oil.
23. Applicant to provide a covered trash enclosure to accommodate both the new and existing use.

Standard Conditions

24. Site Accessibility: All public and pedestrian facilities shall be designed in accordance with Title 24, Handicap Access, and the California Department of State Architect's standards for accessibility compliance.
25. 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 the Standard Conditions of Development, and this Resolution, this

Resolution shall prevail. Where there is a conflict between Planning Commission Resolution No. 8931 and the conditions identified herein, the specific conditions of this resolution shall apply.

26. Other Agency Requirements: The applicant shall comply with all the requirements of the Building Division, Engineering Division, Contra Costa County Fire Protection District, Delta Diablo Sanitation District, State Water Resources Control Board, Bay Area Air Quality Management District, Contra Costa Health Services, and all other applicable local, state and federal agencies.
27. Business License: It shall be the responsibility of the applicant to maintain an updated business license containing an accurate description of the use at the site.
28. Other Municipal Code Requirements: All site development shall comply with Title 12 (Streets, Sidewalks, and Utilities), Title 13 (Water and Sewers) and Chapter 15.88 (Grading, Erosion and Sediment Control) of the PMC as determined by the City Engineer. Issuance of a site development permit will be required whereby specific engineering requirements will be made as conditions of approval.
29. Indemnification: The applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and attorneys' fees expended by City in defense of any such action or other proceeding, plus staff and City Attorney time spent responding to and defending the claim, action or proceeding.

30. Expiration: This approval will expire on June 10, 2021, unless the use has been legally established prior to the expiration date, or a written request for extension is filed with the Planning Division prior to the expiration date and subsequently approved by the Zoning Administrator.

Section 4. Effective Date

This resolution shall take effect immediately upon its adoption.

The foregoing resolution was passed and adopted the 10th day of June, 2020, by the Zoning Administrator of the City of Pittsburg, California.

KRISTIN POLLOT, AICP
ZONING ADMINISTRATOR

Los Gallos Express Panaderia

Interior Renovation

266 Diane Avenue

Pittsburg, CA 94565

RECEIVED
MAR 10 2020
PLANNING DIVISION

- These drawings are to be used for construction only when officially issued for construction by PRAXIS Architects as clearly noted and dated within the title block. PRAXIS Architects will not be responsible for construction errors arising from inaccurate information shown on drawings that have NOT been issued for construction by this office.
- Architectural documents govern all engineering documents unless noted otherwise. General Contractor will verify all construction items with the architectural, structural, mechanical and electrical drawings before ordering or beginning installation of any item. All discrepancies are to be brought to the attention of the Architect.
- Any error, omission or conflict found in the various parts of construction documents will be brought to the Architects attention prior to proceeding with the work.
- All construction work will conform to the applicable federal, state and local codes, laws and regulations.
- All work including new insulation, fixtures, appliances, windows and skylights as indicated on the drawings will conform to current Title 24 Energy Efficiency Requirements. All work will comply with current Title 24 Americans with Disabilities Act and life safety requirements.
- General Contractor is responsible for payment and obtaining all sub-contractor permits required to complete the work.
- General Contractor will verify all dimensions and conditions at the job site.
- General Contractor to verify that no conflicts exist in location of any and all structural, mechanical, electrical, lighting, plumbing, telephone, data cabling and related equipment (to include all piping, ductwork and conduit) and that all required clearance for installation and maintenance of equipment and systems listed above are provided.
- All conduit will be concealed above the ceiling, below the floor or within the walls whenever possible.
- General Contractor to verify dimensions and coordinate work with installation of "not in contract" (N.I.C.) items and equipment.
- General Contractor to review with PRAXIS Architects the layout and exact location of all new electrical stub-ups, lights and switches as marked in the field prior to construction and notify PRAXIS Architects of any discrepancies.
- Written dimensions take precedence over scaled dimensions. DO NOT SCALE DRAWINGS.
- All dimensions indicated in plan are to face of finish unless noted otherwise.
- All dimensions indicated in elevation are to finished ceiling line or finished floor unless noted otherwise.
- Details indicated are typical. Similar details apply in similar conditions.
- The General Contractor is responsible for the design, coordination and execution of all construction methods and procedures.
- Patch and repair all disturbed areas to match adjacent systems, materials and finishes unless noted otherwise.
- The General Contractor will protect new and existing work, equipment, materials and finishes. Damaged items will be repaired or replaced at the expense of the General Contractor.
- The General Contractor will, during the course of construction, keep the building and site premises and all adjoining premises including street and other areas assigned to or used by the General Contractor free from accumulation of waste material and rubbish caused by the General Contractors employees or work.
- At completion of the work, remove from the building, site and premises all surplus materials and debris and clean all of the work thoroughly to the satisfaction of PRAXIS Architects and the Owners.
- General Contractor to provide strict control of job cleaning, preventing dust and debris from being released from construction areas. Keep all areas clean.
- General Contractor to alert PRAXIS Architects and the Owner to any existing building materials containing hazardous materials prior to containment or removal. General Contractor to contain or remove hazardous materials (including asbestos, lead based paint, etc.) via appropriate OSHA and related standards.
- Base building life safety system components will remain intact and operative at all times during construction.
- Substitutions, changes and revisions will have prior written approval from PRAXIS Architects and/or the Owners. Do not substitute materials or manufacturers when specified without approval.

- DWG# SHEET DESCRIPTION
- A0.1 COVER SHEET, PROJECT INFO
 - A0.2 EXISTING FLOOR PLAN
 - A1.0 PROPOSED SITE PLAN
 - A2.0 PROPOSED FLOOR PLAN
 - A3.0 PROPOSED EXTERIOR ELEVATIONS
 - A3.1 PROPOSED EXTERIOR ELEVATIONS

4 DRAWING INDEX

Project Address: 266 Diane Avenue, Pittsburg, CA 94565
APN: 073-181-011 & 073-181-12

Applicable Codes include 2019 California Building Code (CBC), 2019 California Residential Code (CRC), 2019 California Electrical Code (CEC), 2019 California Mechanical Code (CMC), 2019 California Plumbing Code (CPC), 2019 California Energy Efficiency Standards Code (CEES), 2019 California Fire Code (CFC), 2019 California Green Building Standards Code (CGBS or CALGreen) and 2019 California Historical Building Code (CHBC)

Project Description: Scope of work to include interior renovation of existing vacant commercial space. Installation of a new CMU fence on the west property line. A new vehicular gate between the building and the new property line fence. 1,600 SF of area between existing building and west property line to be paved with new concrete slab on grade.

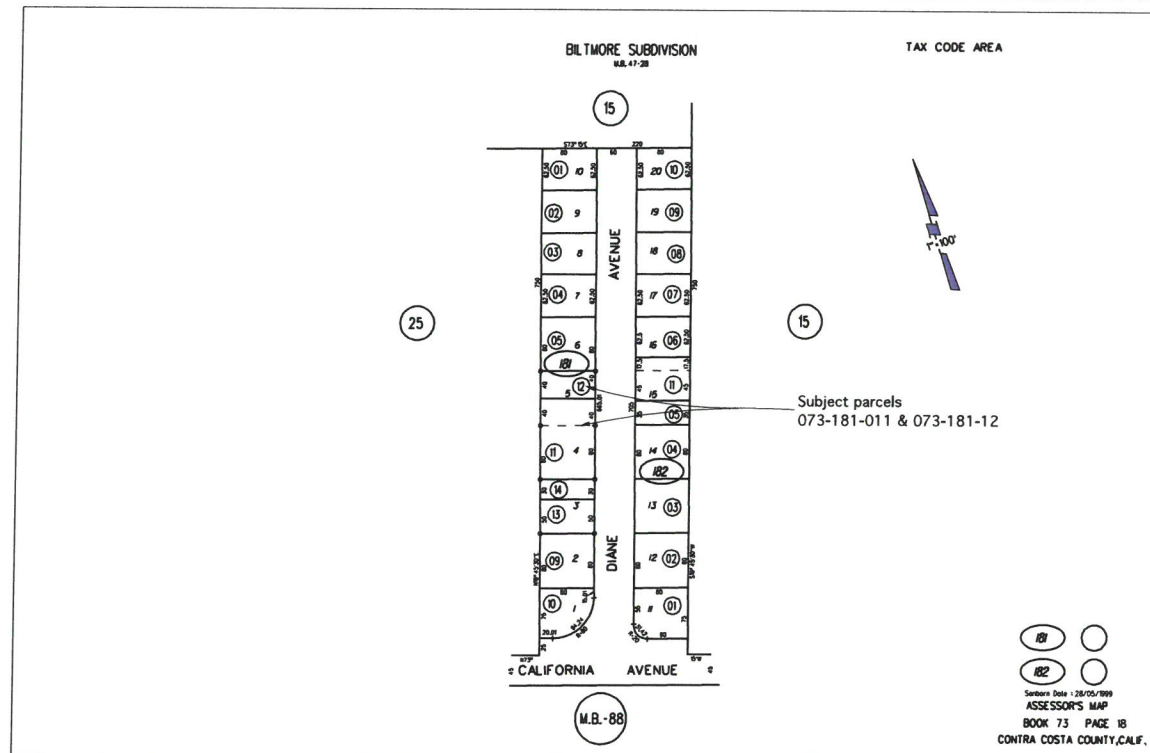
Zoning: RS-5 (Single family residential 5,000 sf minimum lot size)

Acreage: 9,800 SF & 3,200 SF

Proposed Square Footage:
Existing Interior Renovation 2,293 SF
New Pavement 1,600 SF

Client: Jorge Cardenas - Owner
1747 Willow Pass Road; Concord, CA 94502
925-826-2462

Architect: Stephanie Felch, Project Architect
PRAXIS Architects
Post Office Box 291; Monte Rio, CA 95462
tel: (707)869-9595
stephanie@praxisarchitects.com



1 AREA MAP

Not to scale



1 VICINITY MAP

Not to scale

6 PROJECT NOTES

AT	WITH	DTL	DETAIL	INT	INTERIOR
AWC	AWK CONDITIONING	DM	DIMENSION	INVT	INVERT
ACQ	ACOUSTICAL	DN	DOWN	PL	PLASTER LAMINATE
AF	ACOUSTICAL PANEL	DR	DOWN SPOUT	MAC	MECHANICAL
AGL	AGULACRYL	DS	DOWN SPOUT	MEL	MELT
AFF	ABOVE FINISHED FLOOR	EA	EACH	MTL	METAL
ALT	ALTERNATE	EJ	EXPANDED JOINT	NEW	NEW
ALB	ALUMINUM	EL	ELEVATION	N.I.C.	NOT IN CONTRACT
ALD	ALUMINUM	EQ	ELEVATION	NS	NOT TO SCALE
AND	ANGLED	ER	ELEVATION	ON CENTER	ON CENTER
AP	ACCESS PANEL	ES	EQUAL	OPEN	OPENING
APV	ALSO VISIBLE	EQ	ELEVATION	PL	PLATE
ASP	ACOUSTICAL WALL PANEL	EP	EXPANSION	PF	PAINT
AS	ASBESTOS	EQ	ELEVATION	PT	PAINTED QUARRY TILE
B	BOARD	EQ	ELEVATION	Q	QUARRY TILE
BL	BLOCK	EQ	ELEVATION	R	ROOM
BLD	BUILDING	EQ	ELEVATION	RES	RESIDENT
B.M.	BENCH MARK	EQ	ELEVATION	R	RETAINING
BT	BOTTOM	EQ	ELEVATION	S	SHEET
BFL	BEARING	EQ	ELEVATION	SM	SMELT
BR	BREAK	EQ	ELEVATION	SS	STAINLESS STEEL
CB	CABINET	EQ	ELEVATION	ST	STEEL
CF	CONTRACTOR FURNISHED	EQ	ELEVATION	STL	STEEL
CFI	CONTRACTOR NOT FULFILLED	EQ	ELEVATION	STRUC.	STRUCTURAL
CG	CORNER GUARD	EQ	ELEVATION	SUSP.	SUSPENDED
CL	CENTER LINE	EQ	ELEVATION	TYP.	TYPICAL
CLL	CENTER LINE	EQ	ELEVATION	V.I.F.	VERY IN FIELD
CLM	CONCRETE MASONRY UNIT	EQ	ELEVATION	W	WOOD
COL	COLUMN	EQ	ELEVATION		
CONC	CONCRETE	EQ	ELEVATION		
CONT	CONTINUOUS	EQ	ELEVATION		
CONV	CONNECTOR	EQ	ELEVATION		
COU	COUNTER	EQ	ELEVATION		
CPT	CAPIT	EQ	ELEVATION		
C.T.	CERAMIC TILE	EQ	ELEVATION		
CP	COLD WATER LINE	EQ	ELEVATION		
DBL	DOUBLE	EQ	ELEVATION		

5 ABBREVIATIONS

3 PROJECT DESCRIPTION

1 VICINITY MAP

REVISIONS:



project
Panaderia
Los Gallos Express
266 Diane Avenue
Pittsburg, CA
9 4 5 6 5



print date:

Planning Sub. 10 Mar 2020

Cover Sheet
Project Information

A0.1
sheet number

REVISIONS:



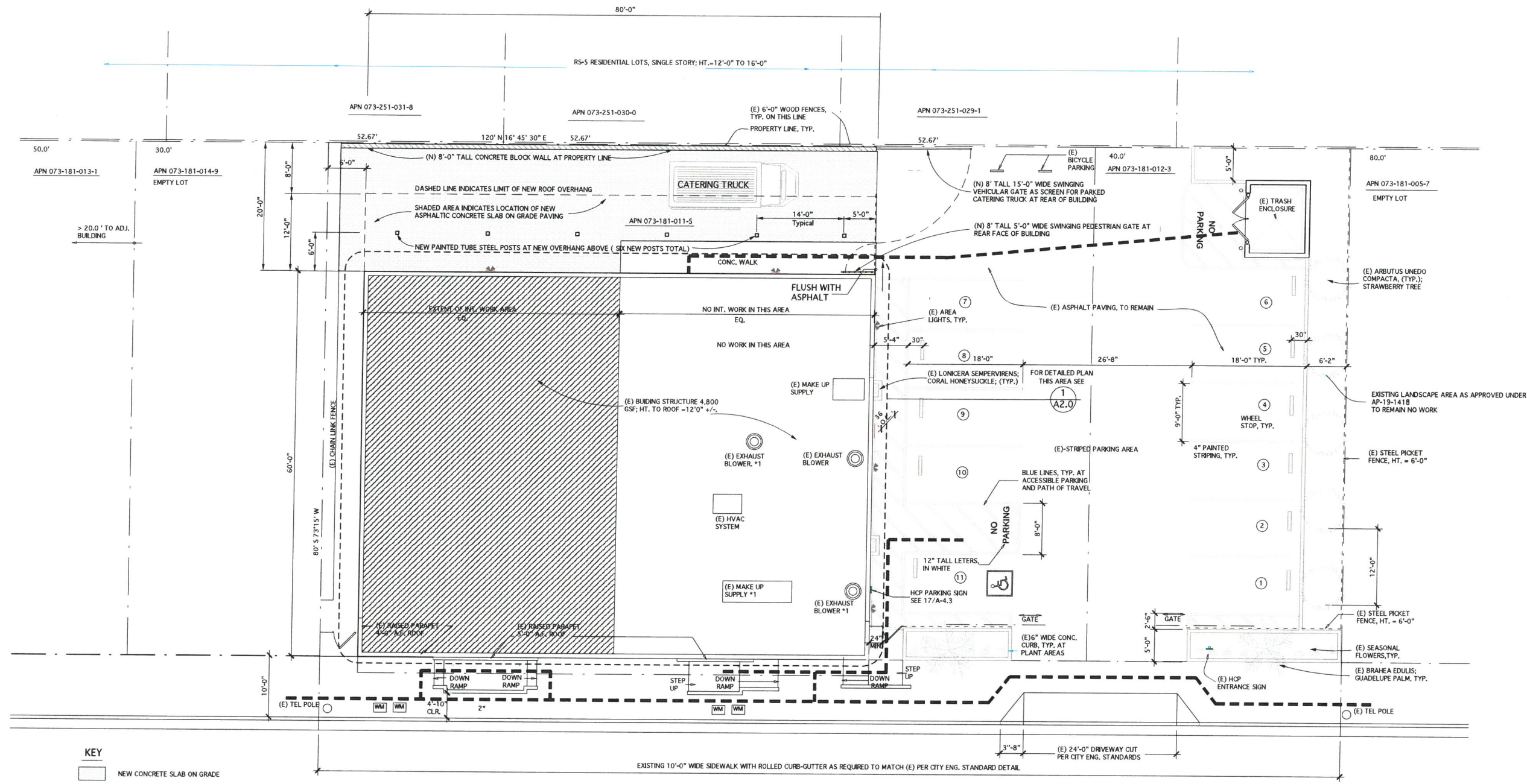
project
Panaderia
 Los Gallos Express
 266 Diane Avenue
 Pittsburg, CA
 9 4 5 6 5



print date:
 Planning Sub. 10 Mar 2020

Proposed
 Site Plan

A1.0
 sheet number



- KEY**
- NEW CONCRETE SLAB ON GRADE
 - WATER METER
 - ACCESSIBLE ROUTE OF TRAVEL
 - AREA OF INTERIOR RENOVATION
 - NEW 8" CMU 8'-0" TALL FENCE
 - NEW SOLID VEHICULAR GATE ON STEEL FRAME

PARKING REQUIREMENT:
 1 SPACE/500 SF OF BAKERY AREA. 2000/500 = 4 SPACES.
 AS PER PERMIT APPROVAL AP-19-1418
 5 EXISTING SPACES FOR TAQUERIA 9 TOTAL OFF STREET SPACES

PROJECT DATA TABLE	
LOT: APN 073-181-011	LOT AREA: 9600 SF
BUILDING :4800 SF	FAR: .5
LANDSCAPE COVERAGE .06%	
LOT: APN 073-181-012	LOT AREA: 3200 SF
BUILDING :120 SF	FAR: .03
LANDSCAPE COVERAGE 20%	

DIANE AVENUE (80.0' R.O.W.)

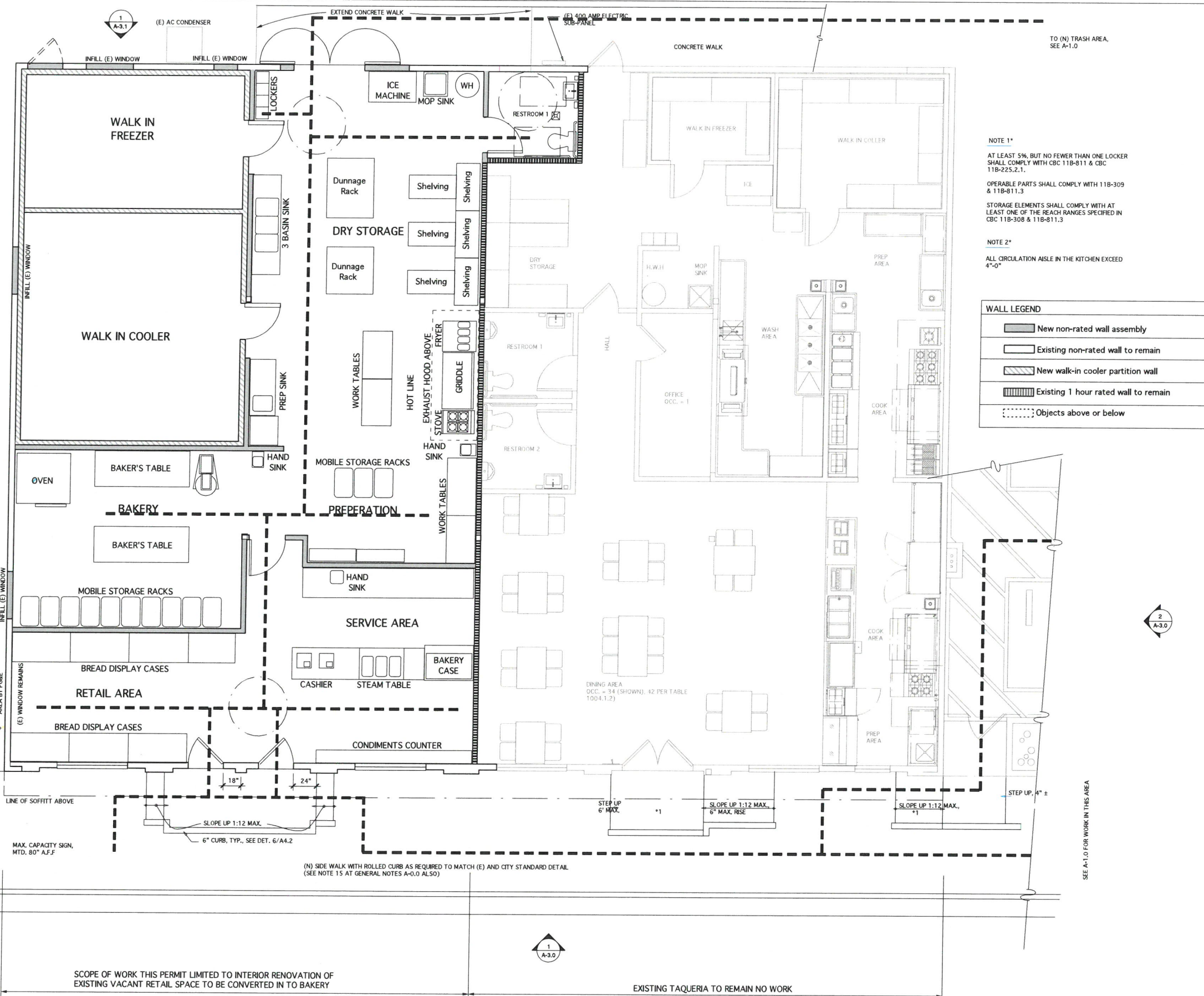
NOTE:
 EXISTING PATH OF TRAVEL, PARKING IMPROVEMENTS AND LANDSCAPING AT THIS PLAN ARE AS APPROVED UNDER PLANNING PERMIT AP-19-1418 AND ARE PROVIDED ON THIS PLAN FOR REFERENCE ONLY. EXTERIOR SCOPE OF WORK OF THIS PERMIT LIMITED TO INSTALLATION OF NEW 8'-0" TALL PROPERTY LINE FENCE WEST OF EXISTING BUILDING, NEW ROOF OVERHANG AT REAR OF BUILDING, NEW PAVED AREA BETWEEN BUILDING AND FENCE AND NEW VEHICULAR GATE TO SCREEN VEHICLE PARKING AREA

RECEIVED
 MAR 10 2020
 PLANNING DIVISION



1/8"=1'-0"

- KEY**
- NEW/INFILL WALL (2x4 STUDS @16" O.C.)
 - EXISTING WALL
 - ADA TURNING CIRCLE 5'-0" Ø
 - ADA CLEARANCE, 30"x48"
 - ADA PATH OF TRAVEL



NOTE 1*
 AT LEAST 5%, BUT NO FEWER THAN ONE LOCKER SHALL COMPLY WITH CBC 11B-811 & CBC 11B-225.2.1.
 OPERABLE PARTS SHALL COMPLY WITH 11B-309 & 11B-811.3
 STORAGE ELEMENTS SHALL COMPLY WITH AT LEAST ONE OF THE REACH RANGES SPECIFIED IN CBC 11B-308 & 11B-811.3

NOTE 2*
 ALL CIRCULATION AISLE IN THE KITCHEN EXCEED 4'-0"

WALL LEGEND

	New non-rated wall assembly
	Existing non-rated wall to remain
	New walk-in cooler partition wall
	Existing 1 hour rated wall to remain
	Objects above or below

praxis architects
 707-869-9595
 Post Office Box 291, Monte Rio, CA 95462

REVISIONS:

▲

project
Panaderia
 Los Gallos Express
 266 Diane Avenue
 Pittsburg, CA
 9 4 5 6 5



print date:
 Planning Sub. 10 Mar 2020

Proposed
 First Floor
 Plan
A2.0
 sheet number

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 PLANNING DIVISION

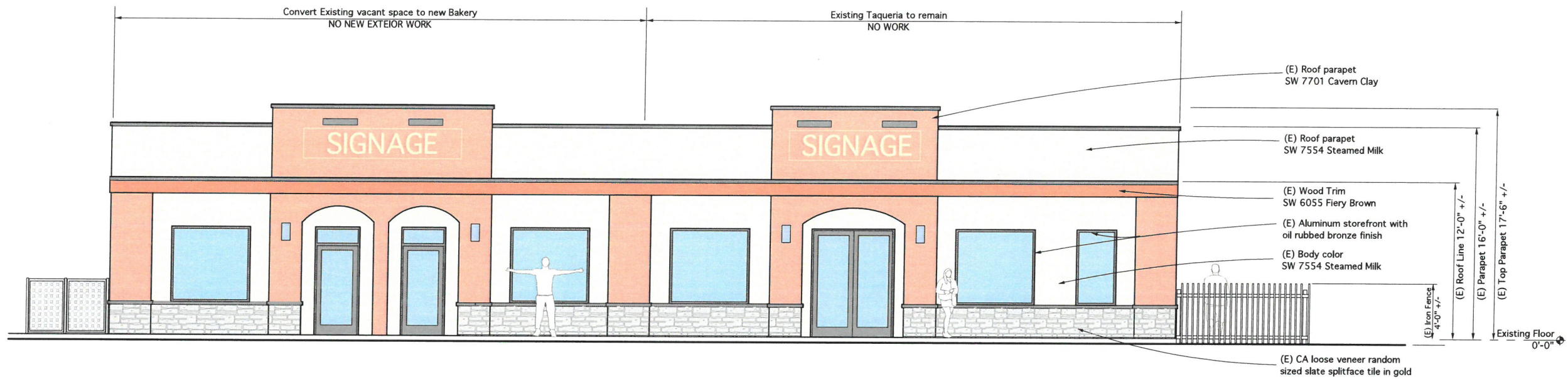
North

 1/4" = 1'-0"

DIANE AVE. (80.0' R.O.W.)

SCOPE OF WORK THIS PERMIT LIMITED TO INTERIOR RENOVATION OF EXISTING VACANT RETAIL SPACE TO BE CONVERTED IN TO BAKERY

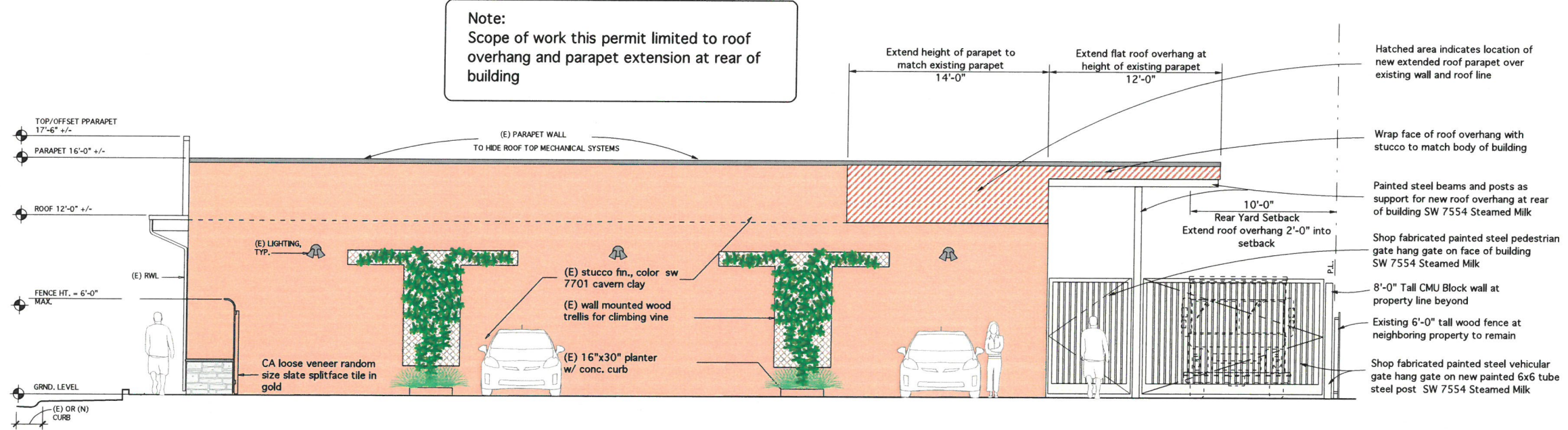
EXISTING TAQUERIA TO REMAIN NO WORK



Note:
Scope of work this permit limited to interior renovation. NO new Exterior Work at building Elevations are provided for reference only

1 EAST (STREET FACING) ELEVATION

1/4"=1'-0"



Note:
Scope of work this permit limited to roof overhang and parapet extension at rear of building

2 NORTH ELEVATION

1/4"=1'-0"

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MAR 10 2020
PLANNING DIVISION



REVISIONS:
▲

project
Panaderia
Los Gallos Express
266 Diane Avenue
Pittsburg, CA
9 4 5 6 5



print date:
Planning Sub. 10 Mar 2020

Existing Elevations For Reference Only
A3.0
sheet number

REVISIONS:



project
Panaderia
 Los Gallos Express
 266 Diane Avenue
 Pittsburg, CA
 9 4 5 6 5

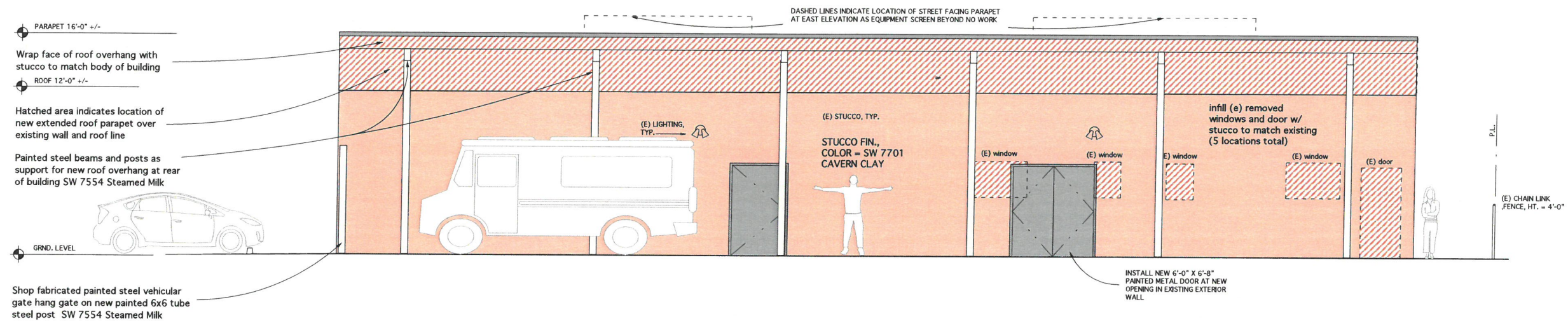


print date:
 Planning Sub. 10 Mar 2020

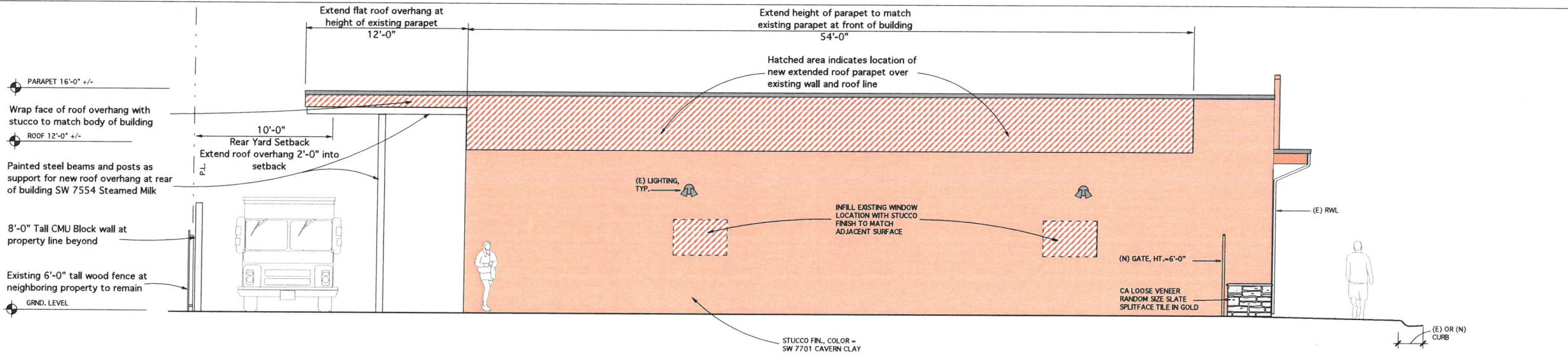
RECEIVED
 MAR 10 2020
 PLANNING DIVISION

Proposed
 Site Plan

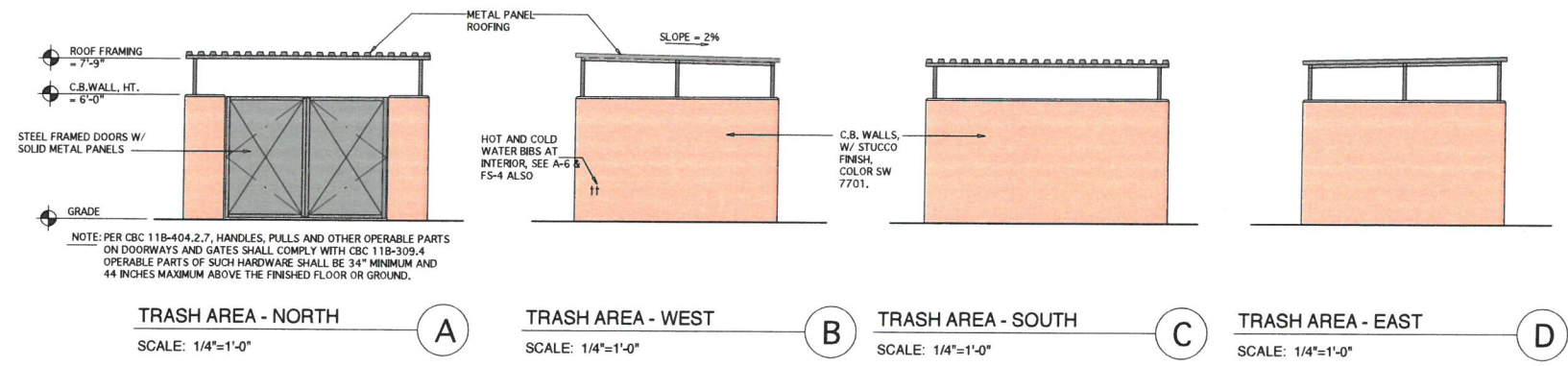
A3.1
 sheet number



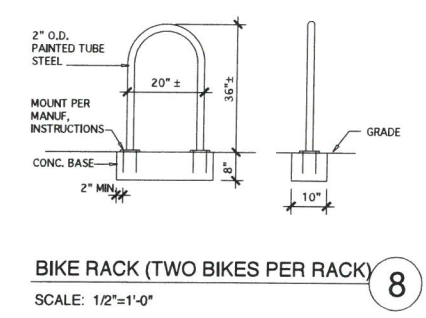
1 PROPOSED WEST ELEVATION 1/4"=1'-0"



2 EXISTING SOUTH ELEVATION FOR REFERENCE ONLY NO WORK 1/4"=1'-0"



3 EXISTING TRASH ENCLOSURE FOR REFERENCE ONLY NO WORK 1/4"=1'-0"



3 (E) BIKE RACK NO WORK 1/2"=1'-0"



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 an online public meeting on:

DATE: June 10, 2020
TIME: 2:00 p.m.
PLACE: Zoom Teleconference (see public advisory on last page)

Concerning the following matter:

Los Gallos Express - Panaderia, AP-20-1506 (ZA, AD)

This is a public hearing on a request for Zoning Administrator approval to establish a 2,400 square-foot, take-out bakery in an existing, multi-tenant commercial space, and administrative design review approval to construct a 960 square-foot roof over-hang that would provide a covered parking space for a mobile food truck, at 260 Diane Avenue in the RS-5 (Single-Family Residential, 5,000 Square Foot Minimum) District. Assessor's Parcel Numbers: 073-181-011 and 073-181-012

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

Why am I receiving this notice?

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

Where can I get more information about this project?

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

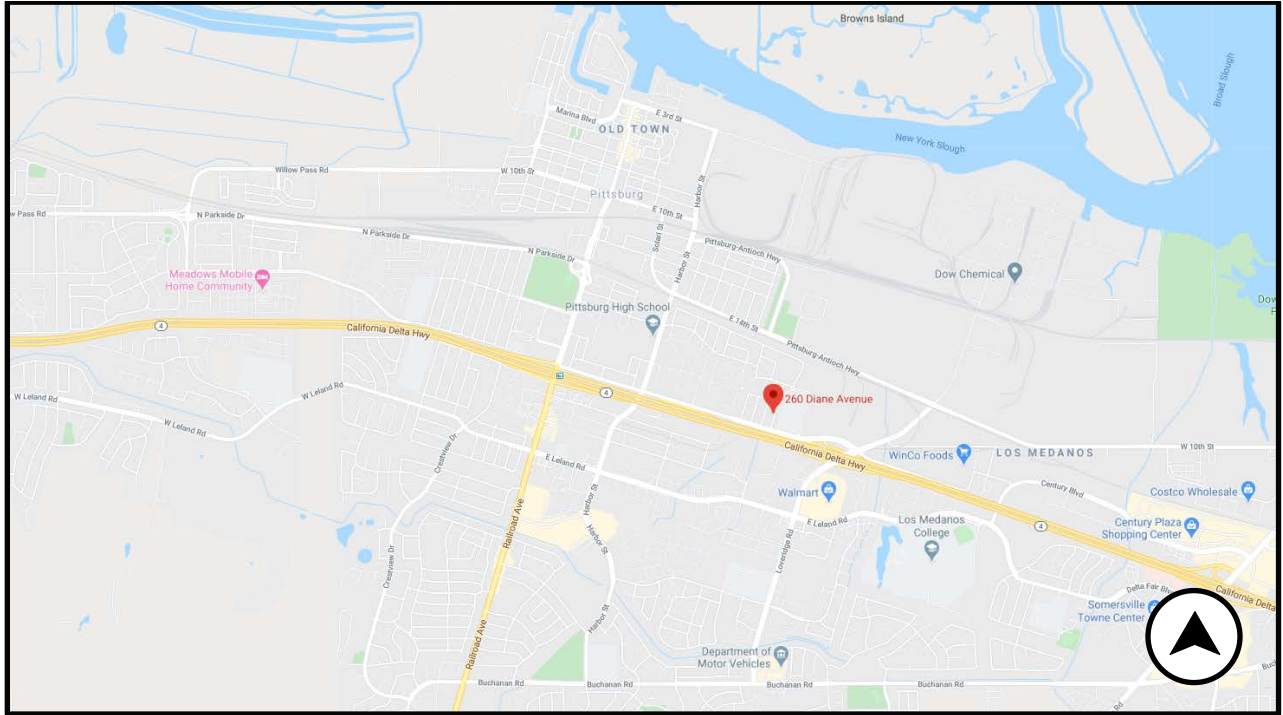
What can I do if I have comments on the project?

Comments or objections to the project can be made by writing or through 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 participating in the Zoom Teleconference 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 ADMINISTRATOR

Project Title: Los Gallos Express - Panaderia AP-20-1506 (ZA, AD)
Location: 260 Diane Avenue, APNs: 073-181-011 and 073-181-012



**PUBLIC ADVISORY:
CITY HALL WILL NOT BE OPEN TO THE PUBLIC**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the meeting of the Zoning Administrator for **June 10, 2020** will be conducted telephonically through Zoom.

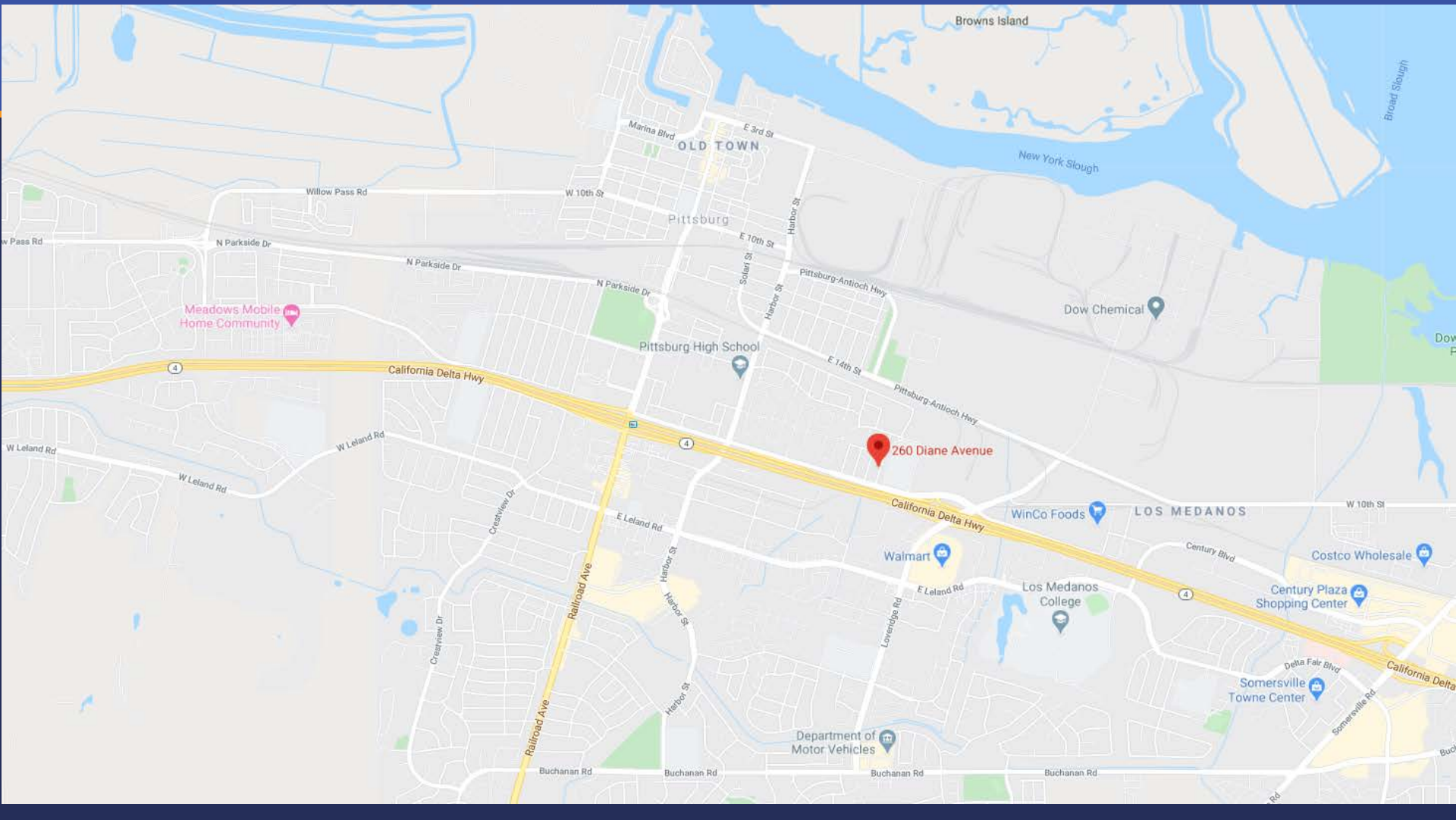
Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, City Hall will not be open for the meeting. The Zoning Administrator will be participating telephonically and will not be physically present at City Hall.

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



City of
Pittsburgh

Los Gallos Express - Panaderia
AP-20-1506 (ZA, AD)



Browns Island

OLD TOWN

Pittsburg

Pittsburg High School

Dow Chemical

Meadows Mobile Home Community

260 Diane Avenue

LOS MEDANOS

Walmart

Los Medanos College

Century Plaza Shopping Center

Somersville Towne Center

Department of Motor Vehicles

Marina Blvd

E 3rd St

Willow Pass Rd

W 10th St

N Parkside Dr

N Parkside Dr

N Parkside Dr

E 10th St

Solar St

Harbor St

Pittsburg-Antioch Hwy

E 14th St

Pittsburg-Antioch Hwy

W Pass Rd

W Leland Rd

4

California Delta Hwy

W Leland Rd

W Leland Rd

Crestview Dr

E Leland Rd

Harbor St

Harbor St

Railroad Ave

Buchanan Rd

Buchanan Rd

Buchanan Rd

WinCo Foods

Century Blvd

Costco Wholesale

W 10th St

California Delta Hwy

E Leland Rd

Loveland Rd

Century Blvd

Delta Fair Blvd

California Delta Hwy

Somersville Rd

Buchanan Rd

Brook Slough

New York Slough



Project Site

PATRICIA AVE

DIANE AVE

251

221

242

252

243

255

249

251

246

257

261

263

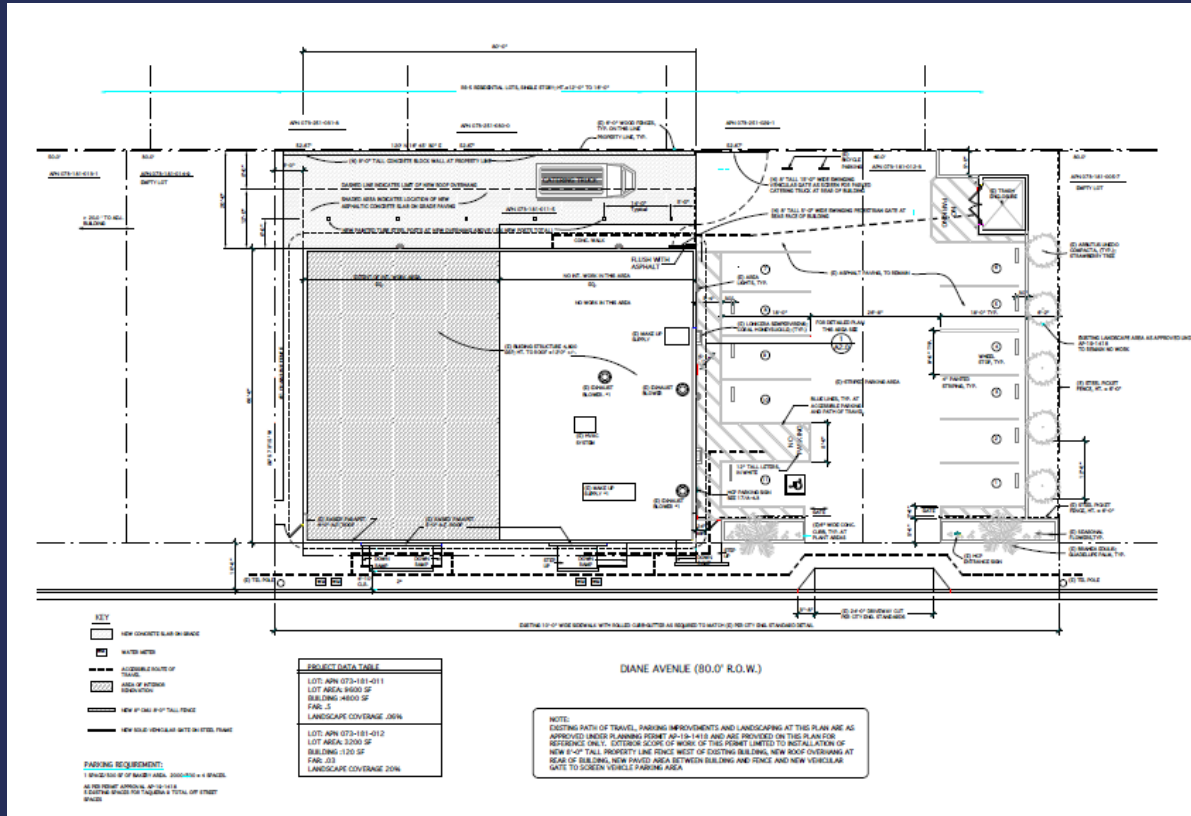
271

276

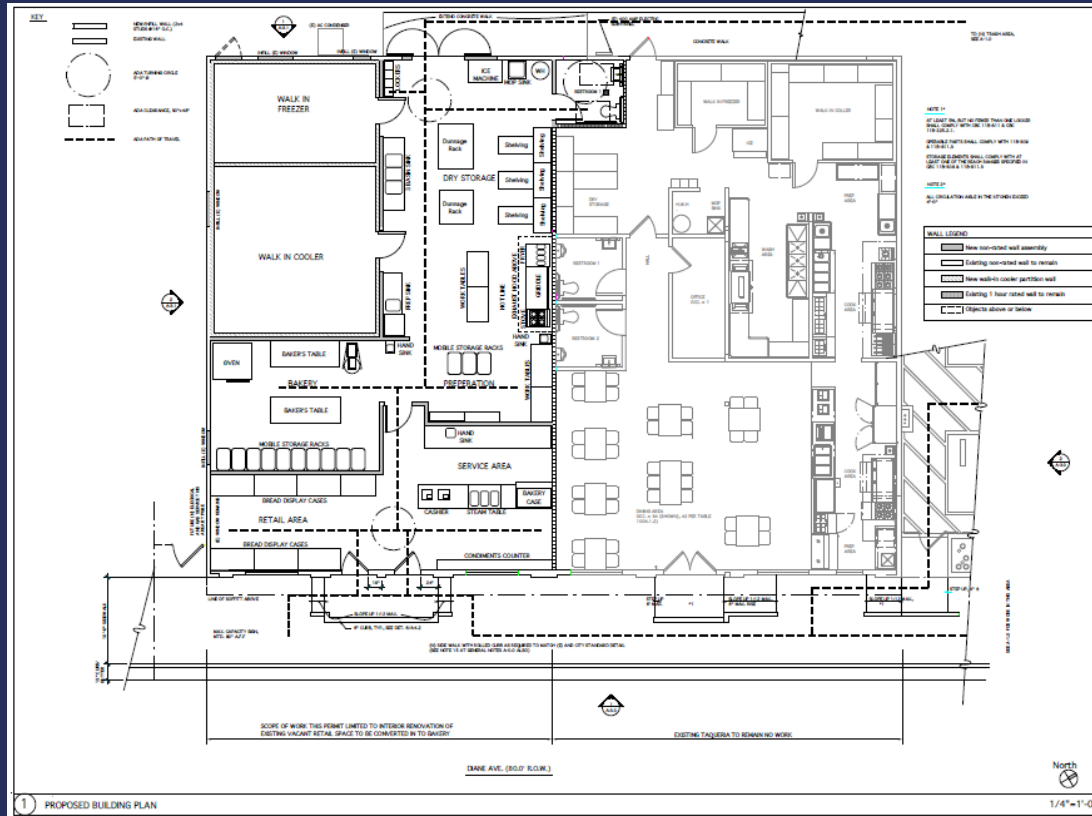
271

284

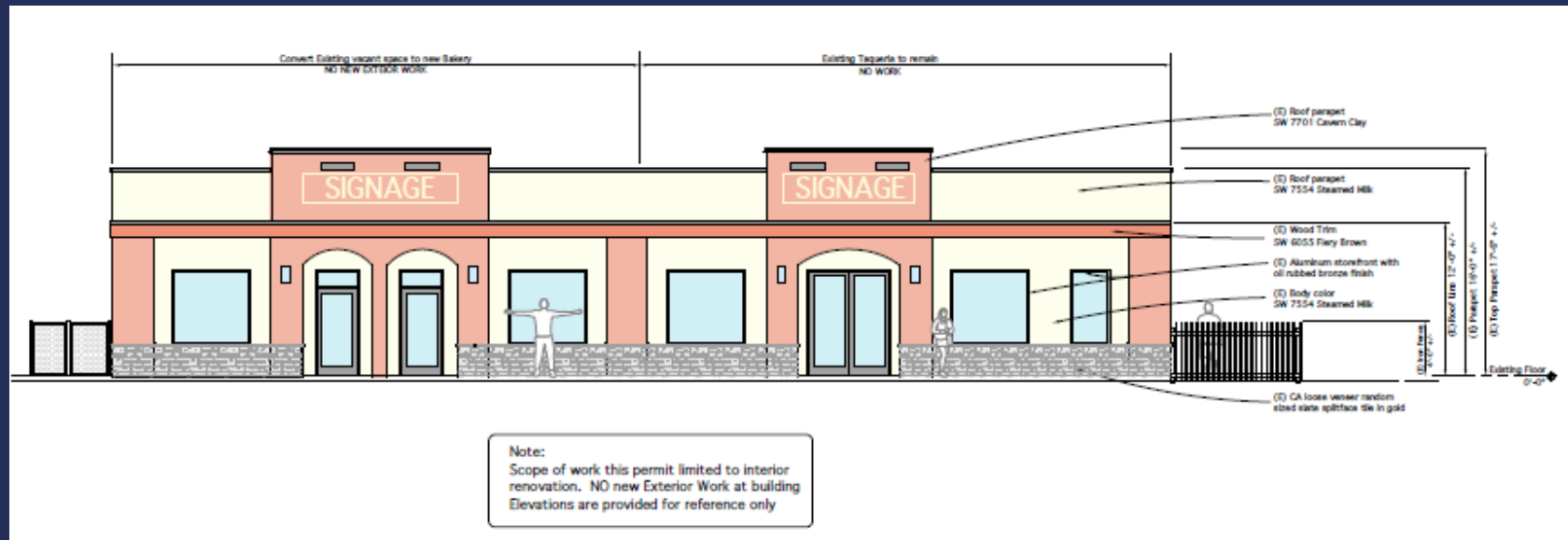
Site Plan



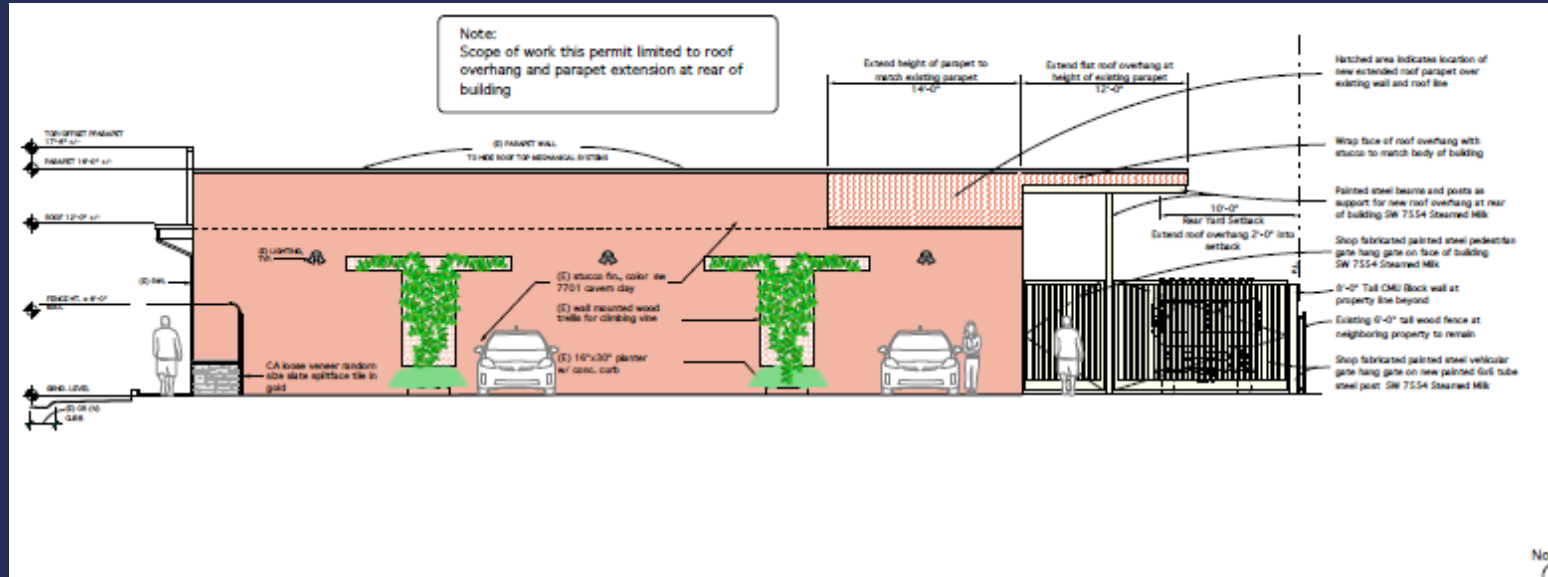
Floor Plan



Elevation



Elevation



Recommendation



Staff recommends that the Zoning Administrator **adopt Resolution No. 356**, approving application no. AP-20-1506, **subject to conditions.**