



November 13, 2024

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

11:00 A.M.

CALL TO ORDER

DELETIONS, WITHDRAWALS OR CONTINUANCES

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

PUBLIC HEARING

1. Los Gallos Express Commercial Improvement, AP-22-0095 (ZA UP, ADR)

This is a Zoning Administrator consideration of an Application for a Zoning Administrator-level Use Permit and Administrative Design Review to establish a mixed-use building at 276 Diane Avenue for “Los Gallos Express – Commercial Improvement”. The project site contains an existing, legal non-conforming vacant commercial structure. The applicant proposes an interior renovation of existing commercial space with new ADA-compliant restroom and a new storefront with accessible entry. The proposed business to occupy the commercial tenant space would be a personal services-type use, as defined by Pittsburg Municipal Code 18.08.080 (24). This use classification includes a hair salon, barber shop, or laundromat. At time of Building Permit, the applicant would provide Tenant Improvement architectural plans applicable to the proposed use. An Administrative Design Review application has been filed to construct a new parking lot, to repaint the exterior façade, and to install drought-tolerant landscaping compliant with the Pittsburg Municipal Code. The exterior upgrades also include structural modifications to accommodate the vertical and horizontal additions to the existing structure in order to accommodate a 2,200 square-foot second-story residential development. Assessor’s Parcel No. 073-181-013.

This project is delegated to staff under Category 6 (Additions to Existing Buildings) of Planning Commission Resolution No. 9918, and PMC Section 18.32.010 (B).

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)



Community and Economic Development Department – Planning Division

Memorandum

MEMO: November 13, 2024
TO: Zoning Administrator
FROM: Kelsey Gunter Associate Planner
RE: Los Gallos Express Commercial Improvement, AP-22-0095 (ZA UP, ADR)

ORIGINATED BY: Maria and Jorge Cardenas, (925) 826-2462, jorgec3@sbcglobal.net
and mariac1023@att.net

SUBJECT: This is a public hearing on a request for Zoning Administrator approval of a Zoning Administrator-level Use Permit and Administrative Design Review Application to establish a mixed-use building at 276 Diane Avenue for “Los Gallos Express – Commercial Improvement” in the RS-5 (Single-Family Residential) Zoning District. Assessor’s Parcel No. 073-181-013.

RECOMMENDATION: Staff recommends the Zoning Administrator adopt a Resolution (Attachment 1) approving Use Permit and Administrative Design Review Application No. AP-22-0095, subject to conditions.

BACKGROUND:

The project site is located mid-block along the west side of Diane Avenue, approximately 170-feet north of the intersection of California Avenue and Diane Avenue. The project site consists of an approximately 4,100 square foot (sq. ft.) rectangular parcel, developed with a 1,200 sq. ft. commercial building, constructed in 1965. The remainder of the site consists of surface-level parking. The project site has historically been used for commercial purposes and complied with all the site development standards in effect at the time of construction. City of Pittsburg records indicate the structure was previously used for a grocery business and is currently vacant.

A Zoning Administrator Use Permit is required by the Pittsburg Municipal Code Section 18.50.010 – Land Use Regulations, to allow for non-residential uses within the residential zoning district. Specifically, a “Personal Services” use is conditionally permitted, subject to Residential Limited Land Use Regulation L-161, which states:

Zoning administrator use permit approval required in accordance with PMC 18.14.020 and 18.16.040. Also, a new use must be (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) cannot be located within a single-family home or any other residential structure that was constructed for exclusive use as a dwelling unit.

PROJECT DESCRIPTION:

Existing Conditions: The project site consists of an approximately 4,100 square foot (sq. ft.) rectangular parcel, developed with a 1,200 sq. ft. commercial building, constructed in 1965. The remainder of the site consists of surface-level parking. Surface parking area is located on the north side of the parcel and is accessible from a driveway off of Diane Avenue but is not currently

striped. Access to the existing building on site is from the eastern building frontage, along Diane Avenue.

Proposed Project: On September 30, 2022, Maria and Jorge Cardenas of Los Gallos Express, filed a Planning Application for a Zoning Administrator Use Permit and Administrative Design Review to establish a mixed-use building with a “Personal Services” use on the ground floor within an existing, commercial building at 276 Diane Avenue.

The proposed project includes an interior renovation of existing commercial space with new ADA-compliant restroom and a new storefront with accessible entry. The proposed business to occupy the commercial tenant space would be a personal services-type use, as defined by Pittsburg Municipal Code 18.08.080 (24). This use classification includes a hair salon, barber shop, or laundromat. At time of Building Permit, the applicant would provide Tenant Improvement architectural plans applicable to the proposed use. An Administrative Design Review application has been filed to construct a new parking lot, to repaint the exterior façade, and to install drought-tolerant landscaping compliant with the Pittsburg Municipal Code. The exterior upgrades also include structural modifications to accommodate the vertical and horizontal additions to the existing structure in order to accommodate a 2,200 square-foot second-story residential development

See Attachment 2 for the Project Site and Floor Plans.

CODE COMPLIANCE:

Pittsburg General Plan 2040: The project site is located in the ‘Low Density Residential’ land use designation within the East Central subarea of the 2040 General Plan. While the ‘Low Density Residential’ land use designation is intended for single-family dwellings, the East Central Subarea contains some of the City’s older neighborhoods which historically included areas for commercial establishments and offices.

The proposed project is consistent with General Plan Policy 2-P-1.1, which requires the City to maintain an adequate supply of land to support projected housing, employment, service, retail, educational, and other needs of the community. Allowing for a commercial ground-floor use within a predominately residentially-developed area will provide a benefit to the surrounding community, in that it presents an opportunity to serve a community need by establishing a “Personal Services” business. Further, there are surrounding commercial developments in the project site’s vicinity, further allowing for the community to access its daily needs in close proximity to their residences.

Zoning: The project site is located within the Single-Family Residential – 5,000 Square Foot Minimum Lot Size (RS-5) District which is intended to provide opportunities for attached or detached single-family residences in existing and new neighborhoods, subject to appropriate standards. A “Personal Servies” use is permitted in the RS-5 District subject to Pittsburg Municipal Code (PMC) section 18.50.010 (Additional Land Use Regulations) L-161. Additional Land Use Regulation L-161 requires Zoning Administrator Use Permit approval pursuant to PMC sections 18.14.020 and 18.16.040.

Because the project site was developed in 1965, it does not conform to current PMC property development standards such as front and side yard setbacks. Additionally, the project site does not meet current requirements for waste disposal, parking lot design, bicycle parking, or signage.

Therefore, pursuant to Chapter 18.76 PMC, the structure setbacks and on-site improvements are legal, nonconforming. Nonconforming structures may be used and continued as long as they are not moved or enlarged, reestablished after abandonment or restored following major destruction. The applicant is proposing additions to the legal, non-conforming structure. All additions are proposed to meet current regulations, and all site features would be required to comply with current PMC standards for items such as parking lot improvements, landscaping, and signage.

See Attachment 3 for the Assessor's Residential Builder Record of 276 Diane Avenue.

Required Findings – Use Permit: Pursuant to PMC section 18.16.040, in order to approve the Use Permit for the personal services use, the Zoning Administrator must find that the project:

- 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;
- I. is consistent with the city's approved funding priorities; and,
- J. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian oriented atmosphere along the primary downtown corridor.

Pursuant to PMC section 18.36.220(B), in order to approve the Administrative Design Review for the personal services use, the Zoning Administrator must find that the project:

- A. will 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. will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
- C. will have an exterior design and appearance that will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;

- D. will be in harmony with proposed developments on land in the general area; and
- E. generally conform with the City's Development Review and Design Guidelines (DRDG); Planning Commission Resolution No. 9864.

A full analysis of how the proposed project meets the required Use Permit and Administrative Design Review findings is provided in the Resolution (Attachment 1).

Environmental: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Guideline 15303(c). The proposed project qualifies for this categorical exemption because the project site is an existing, private structure and the applicant is not proposing an expansion of the existing structure of less than 10,000 sq. ft. The project site is within an urban area of the City and has access to existing public utilities. Therefore, the proposed project will not have a significant effect on the environment and is exempt from the provisions of CEQA.

Public Notice: On or before November 1, 2024, a notice of the November 13, 2024, Zoning Administrator hearing for the proposed project was posted at City Hall and at or near the project site; was delivered for posting at the Pittsburg Library; was posted 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 all owners of property within 300 feet of the project site, to local service agencies expected to provide services to the business, and to individuals who had previously filed written request for such notice, in accordance with PMC section 18.14.010 and Government Code section 65091.

See Attachment 4 for the Public Hearing Notice.

ANALYSIS:

A Notice of Intent to Conduct a Zoning Administrator Public Hearing for this item was provided to the Planning Commission on November 12, 2024.

Staff believes that the Zoning Administrator can make the required findings to grant Use Permit and Administrative Design Review approval for the proposed project. The proposed project is consistent with the General Plan as described in the Code Compliance section above and a "Personal Services" use is compatible with neighboring development in the East Central Subarea which has historically included areas for commercial establishments and offices. Further, the proposed exterior of the structure would improve the overall aesthetics of the project site area by providing a completely renovated façade, using modern design and materials, all of which comply with the PMC and City-adopted Development Review Design Guidelines.

The proposed project will not interfere with existing residential and commercial development in the area or have a detrimental effect on the city's tax base. Also, the proposed personal services operation would be fully contained within an existing, commercial building with a clear separation from any residential development on site or in the project site's vicinity. Therefore, it would not adversely affect the orderly development of the City or encourage marginal development in the area.

REQUIRED ACTION:

Move to adopt a Resolution, approving Use Permit Application No. AP-22-0095, subject to conditions.

ATTACHMENTS:

1. Proposed Resolution
2. Project Plans dated September 13, 2024
3. Assessor's Residential Builder Record – 276 Diane Avenue
4. Public Hearing Notice/Vicinity Map

BEFORE THE ZONING ADMINISTRATOR OF THE CITY OF PITTSBURG

In the Matter of:

Approving a Zoning Administrator-Level)
Use Permit and Administrative Design)
Review Application to Establish a)
Mixed-Use Building at 276 Diane Avenue)
for “Los Gallos Express – Commercial)
Improvement”, AP-22-0095 (ZA UP, ADR).)
Assessor’s Parcel No. 073-181-013.)

Resolution No. ____

The Zoning Administrator DOES RESOLVE as follows:

Section 1. Background

- A. On September 30, 2022, Maria and Jorge Cardenas of Los Gallos Express, filed a Planning Application for a Zoning Administrator Use Permit and Administrative Design Review to establish a mixed-use building with a “Personal Services” use on the ground floor within an existing, commercial building at 276 Diane Avenue.
- B. On November 12, 2024, 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) sections 18.14.020 and 18.16.040.
- C. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Guideline 15303(c).
- D. On or before November 1, 2024, a notice of the November 13, 2024, Zoning Administrator 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. A “Personal Services” Use Classification is a conditionally permitted use in the RS-5 (Single Family Residential, 5,000 Square Foot Lot Minimum) Zoning District subject to PMC Section 18.50.010 (Additional Land Use Regulations) L-161. Additional Land Use Regulation L-161 requires Zoning Administrator Use Permit approval pursuant to PMC sections 18.14.020 and 18.16.040.
- F. Pursuant to PMC section 18.16.040, in order to approve the Use Permit for the religious assembly facility, the Zoning Administrator must find that the project:
 - 1. is in accord with the objective of the Zoning Ordinance, the purposes of the land use district in which it is located and is appropriate to the specific location;

2. is not detrimental to the health, safety, and general welfare of the city;
 3. will not adversely affect the orderly development of property within the city;
 4. will not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the city;
 5. is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;
 6. will not create a nuisance or enforcement problem within the neighborhood;
 7. will not encourage marginal development within the neighborhood;
 8. will not create a demand for public services within the city beyond that of the ability of the city to meet in the light of taxation and spending restraints imposed by law;
 9. is consistent with the city's approved funding priorities; and,
 10. if located within the pedestrian commercial (CP) district, will support the goals of creating a vibrant, economically prosperous, visually interesting, and engaging pedestrian-oriented atmosphere along the primary downtown corridor.
- G. Pursuant to PMC section 18.36.220(B), in order to approve the Administrative Design Review for the personal services use, the Zoning Administrator must find that the project:
1. will 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;
 2. will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable;
 3. will have an exterior design and appearance that will not be of inferior quality as to cause the nature of the neighborhood to materially depreciate in appearance and value;
 4. will be in harmony with proposed developments on land in the general area; and
 5. generally conform with the City's Development Review and Design Guidelines (DRDG); Planning Commission Resolution No. 9864.
- H. On November 13, 2024, the Zoning Administrator held a public hearing on Zoning Administrator-level Use Permit and Administrative Design Review Application No. 22-0059, at which time oral and/or written testimony was considered.

Section 2. Findings

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 “Personal Services” use will:
 - i. be in accordance with the objectives of the Zoning Ordinance, the purposes of the land use district in which it is located, and will be appropriate to the specific location, in that the project site is in the ‘East Central Subarea’ of the General Plan which contains some of the city’s older neighborhoods which historically have included areas for commercial establishments and offices.
 - ii. not be detrimental to the health, safety, and general welfare of the city, in that the project site is within an existing structure which will serve the city better being occupied, rather than vacant structure would now be occupied by a “Personal Services” business, establishing a benefit to the community and not likely to create any health, safety, or general welfare problems. Any such problem would be addressed by Code Enforcement action.
 - iii. not adversely affect the orderly development of property within the city, in that approval of the use permit will allow the applicant to occupy a site located in an area where infrastructure is already present, and the addition proposed is not one that would impact the orderly development of the surrounding area, rather, the proposed addition would be an aesthetic benefit to the surrounding project area.
 - iv. not adversely affect the preservation of property values and the protection of the tax base and other substantial revenue sources within the City, in that the continued occupancy of empty tenant spaces throughout the City will increase property values.
 - v. be consistent with the General Plan in that the proposed “Personal Use” of the commercial building is located in a predominantly residential area along Diane Avenue where there is a small concentration of neighborhood commercial uses, such as a corner grocery store, a restaurant, a bakery, and a religious assembly establishment.
 - vi. not create a nuisance or enforcement problem within the neighborhood, in that the proposed business operations would be required to comply with the Pittsburg Municipal Code. Any noncompliance or nuisance created as part of this development would be strictly monitored and subject to Code Enforcement action.
 - vii. not encourage marginal development within the neighborhood, in that the proposed Personal Services use would occupy a structure located in an area which contains existing non-residential uses and would create an opportunity for the existing neighborhood to better access personal service needs that are not currently offered in the project’s vicinity.

- viii. not create a demand for public services within the city beyond that of the ability of the city to meet in light of taxation and spending restraints imposed by law, in that the proposed personal services use would operate in a building that has been designed to utilize existing infrastructure. Further, the proposed addition to the structure would also be served by existing services. The proposed project is located on private property and will be maintained privately.
- ix. not be inconsistent with the city's approved funding priorities, in that the proposed use is on private property, to be maintained privately, and does not propose or require any city funding.
- x. will not be located in the Pedestrian Commercial (CP) District.

3. The proposed mixed-use structure use will:

- i. will conform with good taste, good design and in general contribute to the character and image of the City as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality, in that the new color scheme will enhance the appearance of the building by providing an attractive, refreshed exterior.
- ii. will be protected against exterior and interior noise, vibrations and other factors that may tend to make the environment less desirable, in that the proposed addition to the structure would be required to follow all codes and regulations at time of construction, including compliance with the City-adopted noise ordinance.
- iii. will have an exterior design and appearance that 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 improve and enhance an existing commercial property and create an opportunity for mixed-use development by establishing a residential use on the second floor of the existing commercial building.
- iv. will be in harmony with proposed developments on land in the general area, in that the exterior paint colors will coordinate with and compliment the surrounding buildings and neighboring developments.
- v. generally conform with the City's Development Review and Design Guidelines (DRDG); Planning Commission Resolution No. 9864, in that the exterior paint color scheme will be compatible with the surrounding areas, utilizing a neutral palette.

4. The staff report entitled, "Los Gallos Express Commercial Improvement, AP-22-0095 (ZA UP, ADR)" dated November 13, 2024, is referenced hereto as additional support for the findings.

Section 3. Decision

- A. Based on the findings set forth above, the Zoning Administrator hereby approves Use Permit Application No. 22-0059, subject to the following conditions.

City of Pittsburg Planning Division

1. Conformity with Project Plans. The use of the property as a mixed-use building and a “Personal Services” business shall be operated in substantial conformance with the project plans received by City Staff, dated September 13, 2024, and attached to the Memorandum as Attachment 2, except as may be hereinafter modified.
2. Operations. The approved use shall be operated substantially as presented to the Zoning Administrator in the staff report identified in Section 2 of this resolution, except as may be modified by the conditions below. Operation of the approved use in a manner inconsistent with this use permit shall be grounds for revocation of the use permit.
3. Signage. This resolution does not approve building signage. No permanent wall signs or temporary, promotional, or event signs and banners may be placed on the site prior to approval by the Planning Division.
4. Site Maintenance. The site shall be kept clean and free of all litter, debris, and refuse at all times. For the cleanup of trash and leaf debris on and around the premises, the applicant shall ensure that dry cleanup methods such as sweeping are used whenever possible, in lieu of hosing the area down with water. There shall be no outside storage of materials, supplies, bins, or other equipment related to the business operation.
5. Graffiti Removal. The site shall be kept clean and free of all graffiti, by means of graffiti resistant paint, and removal of such graffiti, or any litter, debris, or refuse on site, shall be addressed in a time frame not to exceed 48 hours. Failure to maintain property upkeep, including graffiti removal shall be subject to enforcement action, including administrative citations.
6. Future Permit Submittals. Development plans submitted to the Community and Economic Development Department and Public Works Department shall comply with current City standards for the entire project site, including trash enclosure, landscaping, lighting, parking lot improvements, and screening.
7. Landscaping. All landscaped areas on the property shall comply with the project plans and be maintained so as to remain in a healthy, thriving and weed-free condition. Any dead or unhealthy plants shall be removed and replaced with a similar species.
8. Refuse Storage. The property owner shall construct a refuse storage area pursuant to PMC section 18.80.035 and shall be serviced in compliance with Mount Diablo Resource Recovery Standards.
9. Bicycle Rack. The applicant shall install bicycle parking to accommodate a minimum of four bicycles.
10. Exterior Design. Final color of the proposed structure is subject to review by the Planning Division. Color palette must be of earthtone color scheme and must include installation of window grids on residential windows.

City of Pittsburg Building Division

1. All new businesses must acquire a Business License and a Certificate of Occupancy permit prior to opening any business in the City of Pittsburg.
2. On the cover sheet, please indicate the building Design Codes applicable to this project. The City of Pittsburg has adopted and enforces the following building Design Codes: 2022 California Administrative Code (CAC), 2022 California Building (CBC), 2022 California Historical Building Code (CHBC), 2022 California Existing Building Code (CEBC), 2022 California Green Building Standards Code (CGBSC), 2022 California Mechanical Code (CMC), 2022 California Plumbing Code (CPC), 2022 California Electrical Code (CEC), 2022 California Energy Code (CEC Part 6), 2022 California Fire Code and the Pittsburg Municipal Code (RMC). Reference CBC Sec. 107.
3. On the cover sheet, please verify the Drawing Index includes all plan sheets. Reference CBC Sec. 107
4. On the cover sheet, provide or verify the Code Analysis includes the proposed tenant's Use, Occupancy Group, Type of Construction, Separated or Nonseparated Mixed Occupancies, whether or not the building is Fire Sprinkled, Floor Area (S.F.), Number of Stories and Occupant Load. Reference CBC Sec. 111, 302.1, 401, 503, 508, 601, 903 and 1004.1.
5. The preparation of plans or specifications for commercial buildings and tenant improvements shall be performed by a licensed architect or engineer (Exception: Interior alterations that involve only non-bearing partitions). The licensed architect or engineer shall affix a stamp to the plans as evidence of the person's responsibility for the documents. Licensed Mechanical, Plumbing and Electrical Contractors may design the systems that they are to install.
6. The Site Plan shall include code compliant accessible parking spaces and access aisles, and an accessible route from accessible parking spaces to all entrances and exterior ground floor exits. The clear width for sidewalks and walks shall be 48" minimum. The slope of the accessible route shall not exceed 1:20 (5%) in the direction of travel for walking surfaces, 1:12 (8.3%) in the direction of travel for ramps, and the cross slope shall not exceed 1:48 (2%). The slope of curb ramps shall not exceed 1:12 (8.3%). Where the accessible route crosses onto a vehicular route of travel, provide a 36" long continuous detectable warning mat where the pedestrian path crosses or adjoins the vehicular way, such as a driveway, to warn of potential hazards.
7. At least one accessible route shall be provided within the site from accessible parking spaces and accessible loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible.
8. At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site.
9. All exterior and interior accessibility requirements for this project, shall be designed and built to chapter 11B of the California Building Code.

City of Pittsburg Engineering Division

1. Improvement Plans. The applicant shall submit electronic, pdf. files of the engineering plans to the Engineering Division for review and approval through the Accela permitting portal. The plans shall be prepared by a registered civil engineer, to include but not be limited to the following:
 - a. A Site Plan
 - b. A Grading and Drainage Plan
 - c. A Utilities Plan
 - d. A Landscaping and Irrigation Plan
 - e. An Erosion and Sedimentation Control Plan
2. Geotechnical Report. The applicant shall submit a current geotechnical report that supports the design features incorporated into this project including, but not limited to, grading activities, compaction requirements, utility construction, slopes, retaining walls, and roadway sections. The geotechnical report shall be submitted to the Engineering Division for review prior to the approval of any civil plans and/or the issuance of a site development permit.
3. Stormwater Pollutants. The applicant shall incorporate long-term best management practices (BMP's) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long term BMPs to limit pollutant generation, discharge, and runoff. Such source control design measures may include:
 - a. Incorporating landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices.
 - b. Providing covered trash, food waste, and compactor enclosures.
 - c. Using pavers for walkways and other appropriate hardscape surfaces to minimize impervious areas.
 - d. Minimizing the amount of directly connected impervious surface area.
 - e. Marking all storm drains with "No Dumping, Drains to Delta" messages.
 - f. Constructing concrete driveway weakened plane joins at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
 - g. Plumbing of the following discharges to the sanitary sewer, subject to Delta Diablo's authority and standards:
 - h.
 - i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurant.
 - j. Dumpster drips from covered trash and food compactor enclosures.
 - k. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - l. Fire sprinkler test water if discharge to onsite vegetated areas is not a feasible option.
4. Stormwater Pollution Protection During Construction. Prior to the issuance of a grading permit, the applicant shall submit an Erosion and Sedimentation Control Plan to the Engineering Division for review. The Stormwater Pollution Prevention Plan measures shall also include measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with California Stormwater Quality Association's (CASQA's) construction handbook.

5. Stormwater Control Plan. Grading, improvement, and/or building plans shall be consistent with the approved Stormwater Control Plan. The C.3 treatment facilities shall be adequately sized to treat the stormwater runoff from the associated drainage management areas and incorporate adequate designs to comply with current hydrograph modification requirements. The grading, improvement, and landscaping plans shall include drawings and specifications necessary to implement all measures in the Stormwater Control Plan. Design features should incorporate low impact development design standards as outlined in the most current edition of the Contra Costa Clean Water Program's C.3 Guidebook. These features include limiting directly connected impervious area, and incorporating pervious pavements, self-retaining areas, treatment BMPs, permanent stormwater control BMPs, and other features that control stormwater flow and potential for stormwater pollutants. Grading and/ or building permits shall not be issued until this condition is met to the satisfaction of the Engineering and Planning Divisions.
6. Operations and Maintenance Plan. The applicant shall submit a Stormwater BMP Operation and Maintenance Plan for the continuous maintenance of all C.3 facilities constructed to meet the C.3 requirements of the project. The final plan shall be submitted to the Engineering Division prior to the certificate of occupancy.
7. Operation and Maintenance Agreement and Right of Entry. The applicant shall execute the Operations and Maintenance Agreement and Right of Entry, which pertain to the transfer of ownership and / or long-term maintenance of stormwater treatment BMPs or hydrograph modification BMPs prior to the issuance of a certificate of occupancy. The Guidelines for the preparation of Stormwater BMP Operation and Maintenance Plans are found on the Contra Costa County Clean Water Program website (www.cccleanwater.org) or the Stormwater C.3 Guidebook, most current edition.
8. Stormwater Pollution Protection During Construction. Prior to the issuance of a grading permit, the applicant shall submit an Erosion and Sedimentation Control Plan or Stormwater Pollution Prevention Plan (if the project requires a permit from the State Water Resources Control Board under the provisions of the General Construction Permit) to the Engineering Division for review. The Stormwater Pollution Prevention Plan measures shall also include measures to prevent soil, dirt, and debris from entering the storm drain system, in accordance with California Stormwater Quality Association's (CASQA's) construction handbook.

Contra Costa County Fire Protection District

We have reviewed the design review application to do interior tenant improvement, a second story residential addition and upgrades at the subject location. The following is required for Fire District approval in accordance with the 2022 California Fire Code (CFC), the 2022 California Building Code (CBC), the 2022 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

Proposed building required to have fire sprinklers with the proposed residential occupancy. (California Fire Code 903.2.8)

9. A land development permit is required for access and water supply review and approval prior to submitting building construction plans.

The developer shall submit scaled site improvement plans indicating:

- All existing or proposed hydrant locations,
- Fire apparatus access to include slope and road surface
- Aerial fire apparatus access, Elevations of building,
- Size of building and type of construction,
- Gates, fences, retaining walls, bio-retention basins, any obstructions to access,
- Detail showing the lowest level of fire department vehicle access and the floor level of the highest occupied floor,
- Striping and signage plan to include "NO PARKING-FIRE LANE" markings
- Provide drawings for paths from the public way to under emergency escape and rescue openings showing a proposed clear path and clear space under these openings that allow for the placement of ground ladders at a climbing angle of 70 to 75 degrees and a minimum of 18" clearance from the base of the ladder to any obstruction (see attached ground ladder access standard) for review and approval prior to obtaining a building permit.

This is a separate submittal from the building construction plans. These plans shall be approved prior to submitting building plans for review. (501.3) CFC

10. The developer shall submit building construction plans and specifications for the subject project to the Fire District through the public portal (<https://confire.vision33cloud.com/citizeportal/app/landing>). After the new construction/ tenant improvement plans are approved, plans and specifications for all deferred submittals shall be submitted, including, but not limited to the following.

- Private underground fire service water mains
- Fire sprinklers
- Fire alarm if required
- Fire pump if required

All projects shall be submitted to the Fire District for review and approval prior to construction of the building or installation of the systems to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

ALL PLAN SUBMITTALS SHALL BE SUBMITTED THROUGH THE FIRE DISTRICT'S PUBLIC PORTAL WEBSITE:

<https://confire.vision33cloud.com/citizeportal/app/landing>

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review. Standard Conditions of Development

City of Pittsburg Standard Conditions of Approval

1. Construction. All site development shall comply with Title 15 (Building and Construction) of the Pittsburg Municipal Code.
2. 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.

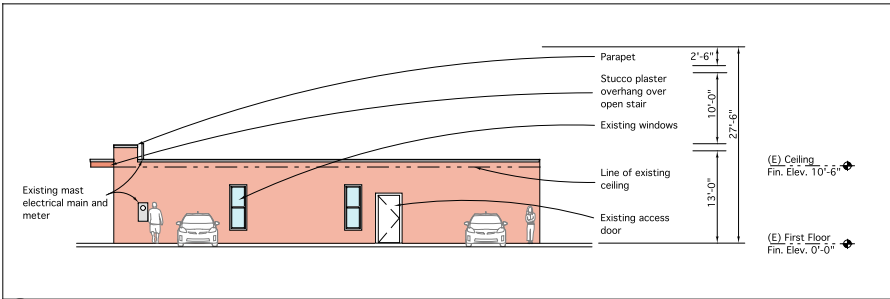
3. Standard Conditions. The Standard Conditions of Development as adopted by the Pittsburg Planning Commission by Resolution No. 8931 shall apply as conditions of approval for this project as applicable. Where there is a conflict between this resolution and the Standard Conditions of Development, this Zoning Administrator resolution shall govern.
4. Indemnification. Applicant agrees to indemnify, defend, and hold harmless the City, its officials, officers, employees, agents and consultants from any and all administrative, legal or equitable actions or other proceedings instituted by any person challenging the validity of this project approval, subsequent project approval, or other action arising out of, or in connection with, this project approval. The parties shall cooperate in defending such action or proceeding. The parties shall use reasonable efforts to select mutually agreeable defense counsel but, if the parties cannot reach agreement, City may select its own legal counsel at applicant's sole cost and expense. Applicant may select its own legal counsel to represent applicant's interests at applicant's sole cost and expense. Applicant shall pay for City's costs of defense, whether directly or by timely reimbursement to City on a monthly basis. Such costs shall include, but not be limited to, all court costs and 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.
5. Expiration. This approval will expire on November 13, 2026, unless 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

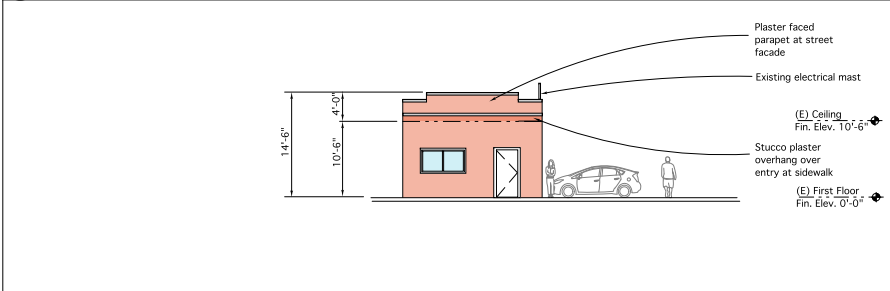
This resolution shall take effect immediately upon adoption of this resolution.

The foregoing resolution was passed and adopted the 13th day of November, 2024, by the Zoning Administrator of the City of Pittsburg, California.

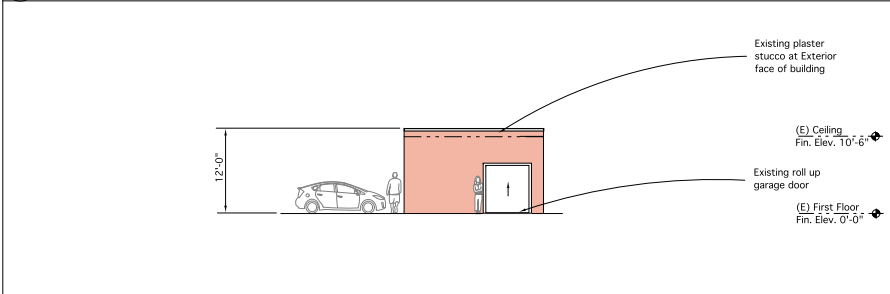
JOHN FUNDERBURG, M.S.
ZONING ADMINISTRATOR



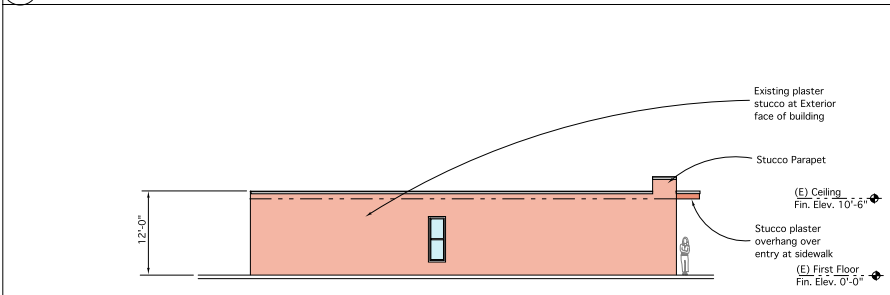
2 EXISTING NORTH ELEVATION



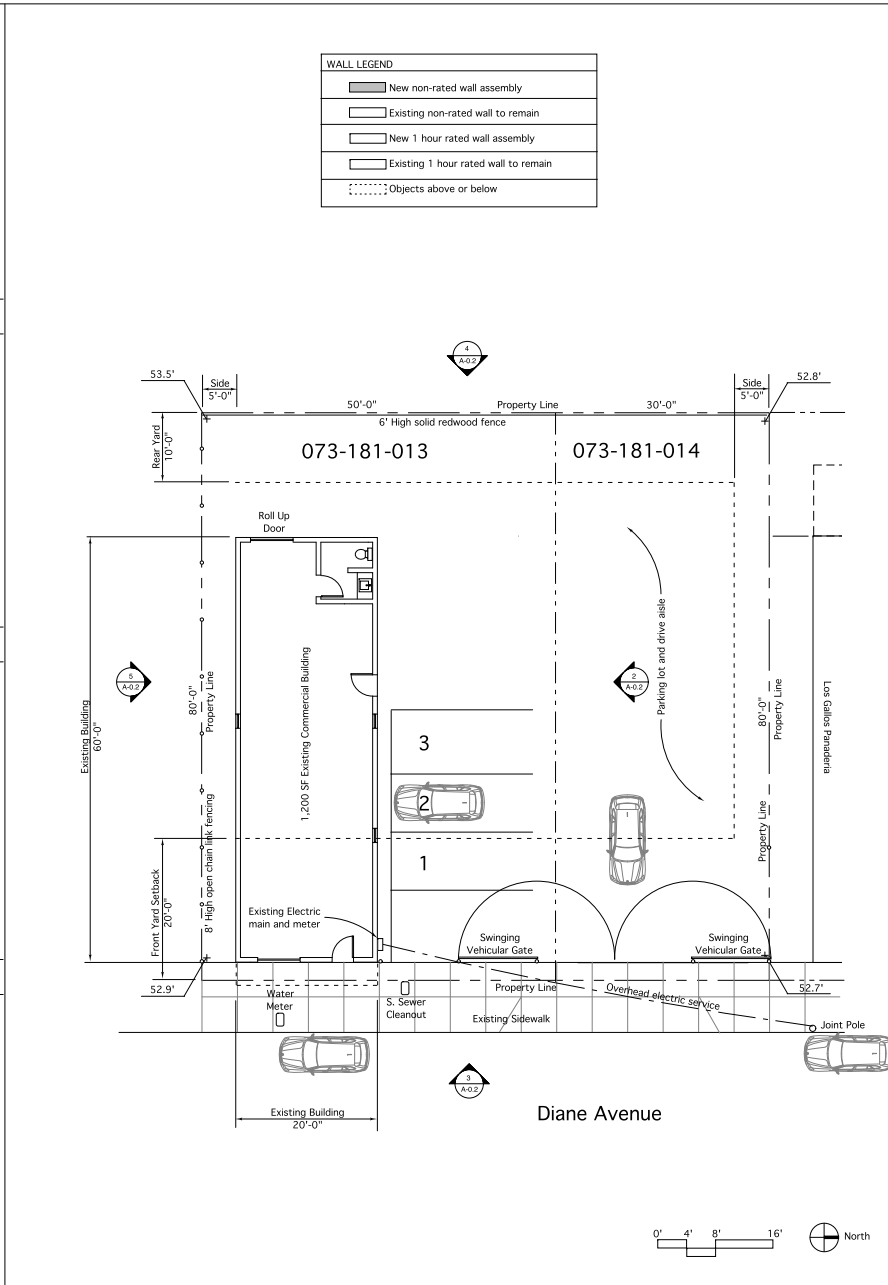
3 EXISTING EAST ELEVATION



4 EXISTING WEST ELEVATION



5 PROPOSED SOUTH ELEVATION



1 EXISTING SITE PLAN WITH BUILDING FIRST FLOOR PLAN

WALL LEGEND	
	New non-rated wall assembly
	Existing non-rated wall to remain
	New 1 hour rated wall assembly
	Existing 1 hour rated wall to remain
	Objects above or below

REVISIONS:

project
 Los Gallos Express
 Commercial
 Renovation/Addition
 276 Diane Avenue
 Pittsburg, CA
 9 4 5 6 5



print date:
 Permit Submit 13 Sep 2024

Existing Site,
 First Floor Plan
 Exterior
 Elevations



Street facing facade



Street View from South of property on Diane Avenue



Street View from North of property on Diane Avenue



View of subject property from north property line



View from adjacent property south of subject property



View from sidewalk

REVISIONS:



project

Los Gallos Express
 Commercial
 Renovation/Addition
 276 Diane Avenue
 Pittsburg, CA
 9 4 5 6 5

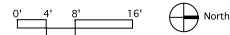
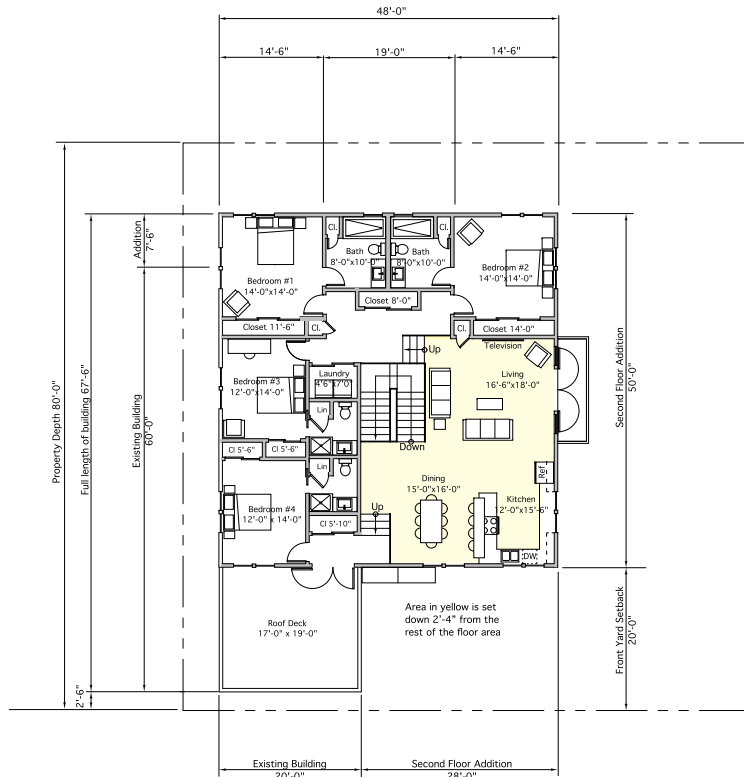


print date:

Permit Submit 13 Sep 2024

Existing
 Exterior
 Photographs

A0.3
 sheet number

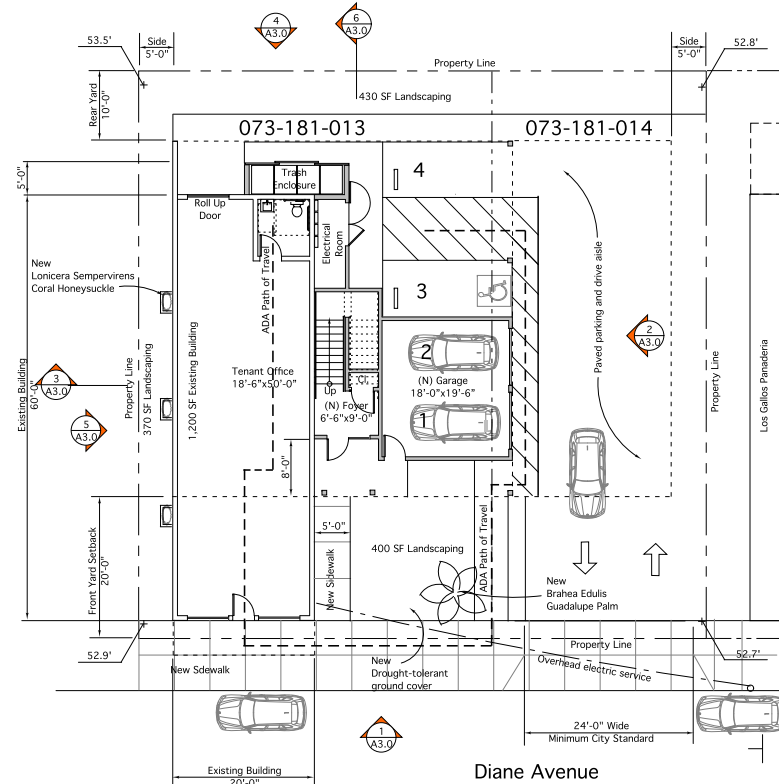


2 PROPOSED SECOND FLOOR PLAN

1/8"=1'-0"

WALL LEGEND	
	New non-rated wall assembly
	Existing non-rated wall to remain
	New 1 hour rated wall assembly
	Existing 1 hour rated wall to remain
	Objects above or below

Maximum Lot Coverage 45%	6,400 SF x .45 = 2,880 SF
Existing Building:	1,200 SF
Max Add. Lot Coverage:	2,880 SF
1,200 (E) + 1,535 (N) =	2,735 SF
Min. Driveway width	24'-0"
Parking Loading:	1 Stall /500 SF
Commercial 1,200 SF =	250 = 2 Stalls
Parking Loading:	2 Stalls
Residential Single Family Dwelling	
Total parking load	4 Stalls
Minimum Landscaping:	15% of Lot
6,400 SF x .15 =	960 SF Min.
1,200 SF provided	



1 PROPOSED SITE AND BUILDING FIRST FLOOR PLAN

1/8"=1'-0"



REVISIONS:

▲

project

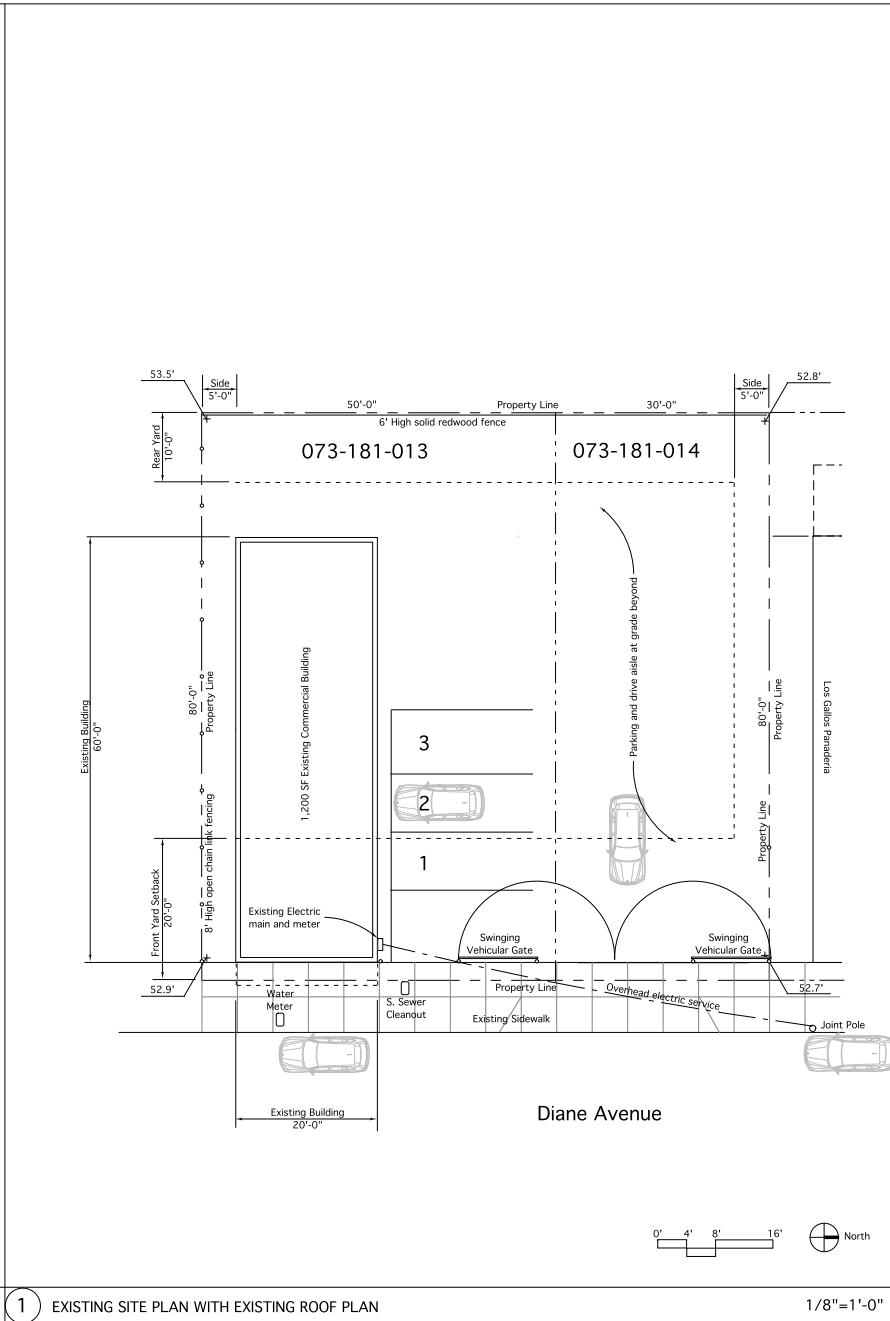
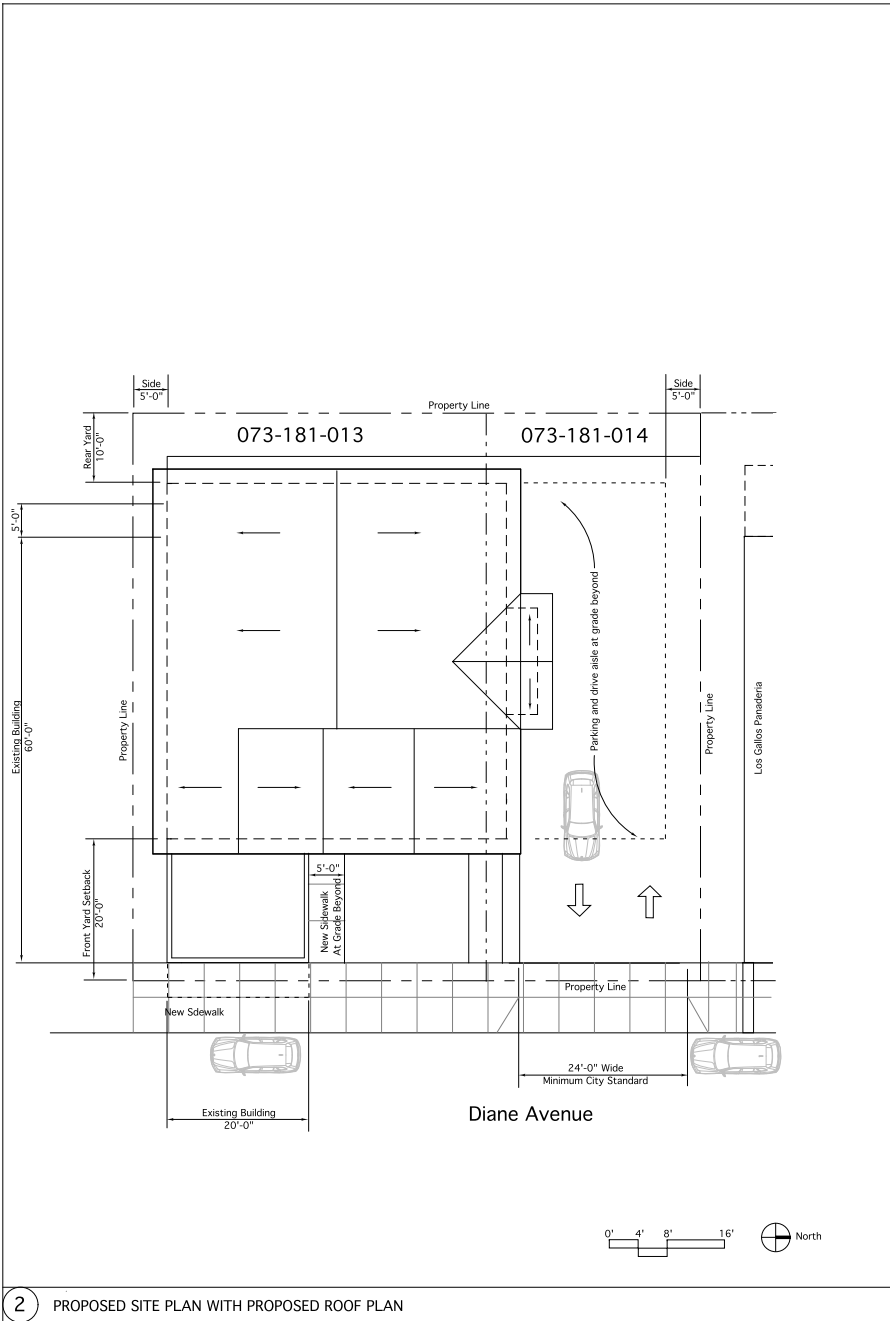
Commercial Renovation/
Residential Addition
276 Diane Avenue
Pittsburg, CA
9 4 5 6 5



print date:
Permit Submit 13 Sep 2024

Proposed Site,
First Floor and
Second
Floor Plans

A2.0
sheet number



REVISIONS:
 ▲

project
 Los Gallos Express
 Commercial
 Renovation/Addition
 276 Diane Avenue
 Pittsburg, CA
 9 4 5 6 5



print date:
 Permit Submit 13 Sep 2024

Existing Site
 & Roof Plan

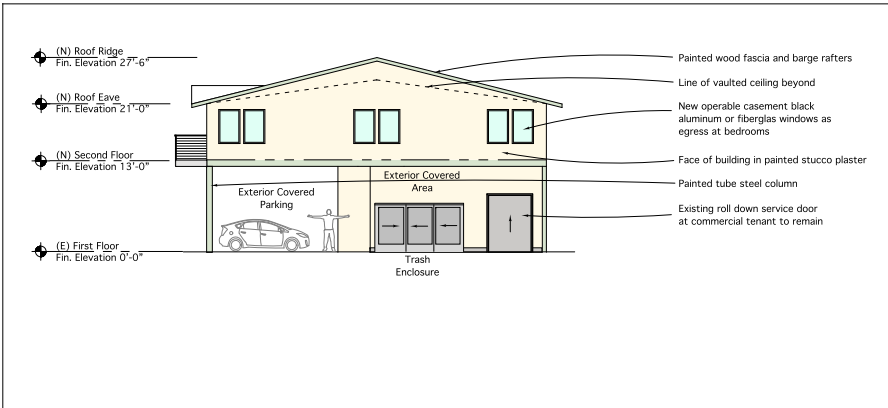
Proposed Site
 & Roof Plan

A2.1
 sheet number

2 PROPOSED SITE PLAN WITH PROPOSED ROOF PLAN

1 EXISTING SITE PLAN WITH EXISTING ROOF PLAN

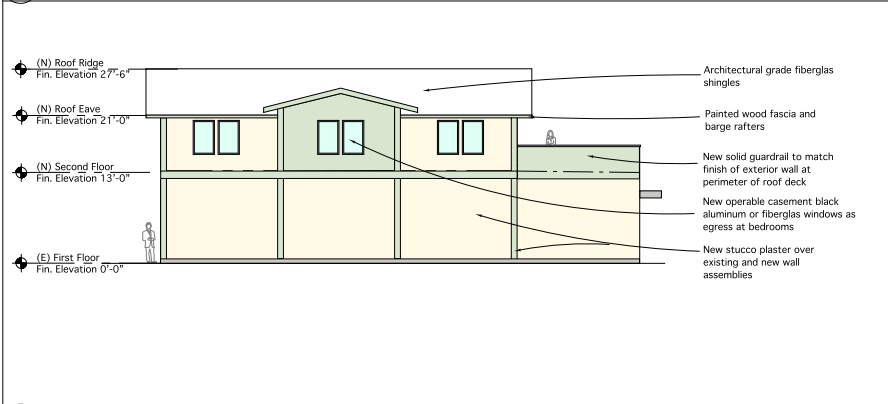
1/8"=1'-0"



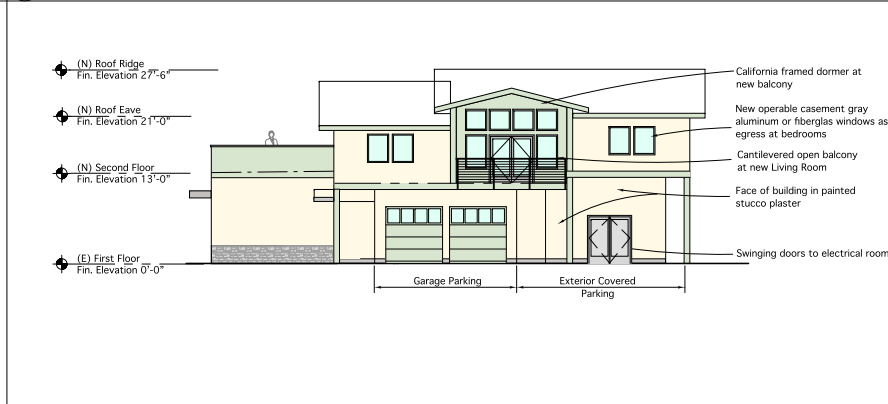
4 PROPOSED BUILDING WEST ELEVATION 1/8"=1'-0"



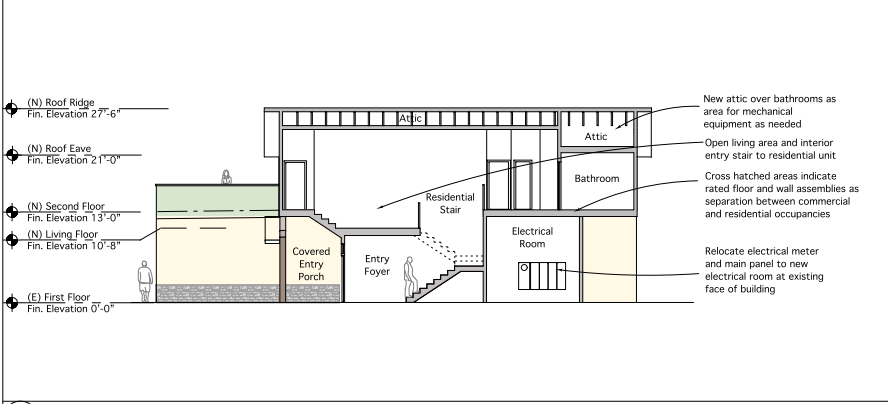
1 PROPOSED EAST (STREET FACING) ELEVATION 1/8"=1'-0"



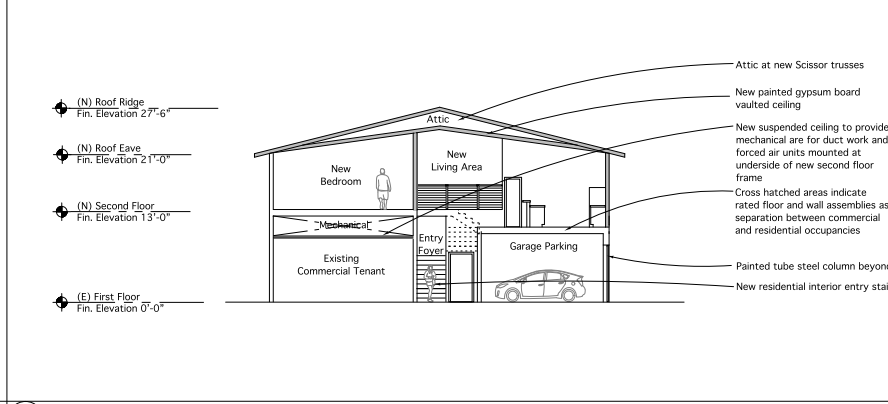
5 PROPOSED BUILDING SOUTH ELEVATION 1/8"=1'-0"



2 PROPOSED NORTH ELEVATION 1/8"=1'-0"



6 PROPOSED BUILDING LONGITUDINAL SECTION 1/8"=1'-0"



3 PROPOSED BUILDING CROSS SECTION 1/8"=1'-0"

REVISIONS:
▲

project
Commercial Renovation/
Residential Addition
276 Diane Avenue
Pittsburg, CA
9 4 5 6 5



print date:
Permit Submit 13 Sep 2024

Proposed
Exterior
Elevations &
Building Sections

A3.0
sheet number

WILLIAMS

COMMERCIAL BUILDING RECORD

CONTRA COSTA COUNTY

ADDRESS 276 DIANE

073-181-013-1
276 DIANE AVE
31-3

PG 2 OF

PB

DESCRIPTION OF BUILDING

Class & Shape	Construction	Structural	Exterior			Front		Lighting		Air Condition		Rooms		Room and Finish Detail												
			F L R B	Unfin.	Paint	Siding	Flat	Recessed	Cut-up	Total Ht.	Wiring	K.T.	Cond.	B.X.	Cable	hp-frm-tons	53 M. btu.	Store	Floors	Floor Material	Grade	Trim	Walls	Ceilings		
D 4 B Architecture	Standard	2"x4" 14'O.C.																								
Stories	Heavy	Sheathing																								
Type	Special	Reinf. Conc.																								
Use	Foundation	Tilt-up Brick																								
Apartment	Concrete	"Thick Walls"																								
Garage	Reinforced	Partitions																								
Hotel	Conc. Fl.	Wood Fl.																								
Market	"x" "O.C.	Plasters																								
Office	Subfloor	Party Wall																								
Store	X																									
Theatre																										

BATH & LAVATORY DETAIL

Fl. No.	Floors	Walls	Wc	La	Tub	Ur	Type	Grade	St.	O.T.	G.D.	Finish
1	ASPT	SETE	/									

SPECIAL FEATURES

Elevators	
Sprinklers	
Refrigeration	Built-in

REMARKS: 11-6-5 OWNER OCCUPIED - GARAGE
 BUSINESSES - "LAS-MIN-IT" MARKET
 OWNER COURTESY P.A. AS COPIED AS
 AND - ETC. 7/12/24 David LAZARUS W.V.U



Perkins Front views

073-181-013 6-92

R.C.L.N.D. Pw 3000

8962

12923

COMMERCIAL FILE

SEE ATTACHED DISCLAIMER



ROF 60/2
W.H. 8
K.R.E. 1.25
K.L.V. 1.57
K.R.M.D. 1.87
A.L.E. 1.80

1/31 11/53/22

24 9.26
ANHS 4.05

931

1/27 11/53/20

DVB PARTY 7/76

ASG/D 11/7

W.H. 8

11/9

Unit	Ft.	Ft.	SQ. FT.	Unit Cost	N.
STORGE	20	60	1200	719	13498
SEE ATTACHED DISCLAIMER					
Air Conditioning					
Heating					1450
Cooling					
Date	1st Total				2052
Date	2nd Total	1162	1112	1168	14685
Date	3rd Total	1359	1116	1109	17342
Date	4th Total				
Date	5th Total				
Date	6th Total				



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Zoning Administrator of the City of Pittsburg will conduct a public hearing on:

DATE: November 13, 2024
TIME: 11:00 AM
PLACE: Conference Room 4B at City Hall (First Floor)
65 Civic Avenue, Pittsburg, California

Concerning the following matter:

SUBJECT: Taqueria Los Gallos Express Commercial Improvement, AP-22-0095 (UP, ADR)

Project Description: This is a request for Zoning Administrator approval of a Zoning Administrator-level Use Permit (UP) and Administrative Design Review (ADR) application to establish a mixed-use building at 276 Diane Avenue for "Los Gallos Express – Commercial Improvement". The project site contains an existing, legal non-conforming vacant commercial structure. The applicant proposes an interior renovation of existing commercial space with new ADA-compliant restroom and a new storefront with accessible entry. The proposed business to occupy the commercial tenant space would be a personal services-type use, as defined by Pittsburg Municipal Code 18.08.080 (24). This use classification includes a hair salon, barber shop, or laundromat. At time of Building Permit, the applicant would provide Tenant Improvement architectural plans applicable to the proposed use. An Administrative Design Review application has been filed to construct a new parking lot, to repaint the exterior façade, and to install drought-tolerant landscaping compliant with the Pittsburg Municipal Code. The exterior upgrades also include structural modifications to accommodate the vertical and horizontal additions to the existing structure in order to accommodate a 2,200 square-foot second-story residential development. The project is located within the RS-5 (Single Family Residential, 5,000 square foot lot minimum) Zoning District and Low Density Residential General Plan Land Use designation. This zoning designation conditionally permits commercial uses, subject to Residential Limited Land Use Regulation L-161 in Pittsburg Municipal Code Section 18.50.010. Assessor's Parcel No. 073-181-013.

Environmental Determination: The project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15303.

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

Why am I receiving this notice?

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

Where can I get more information about this project?


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

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

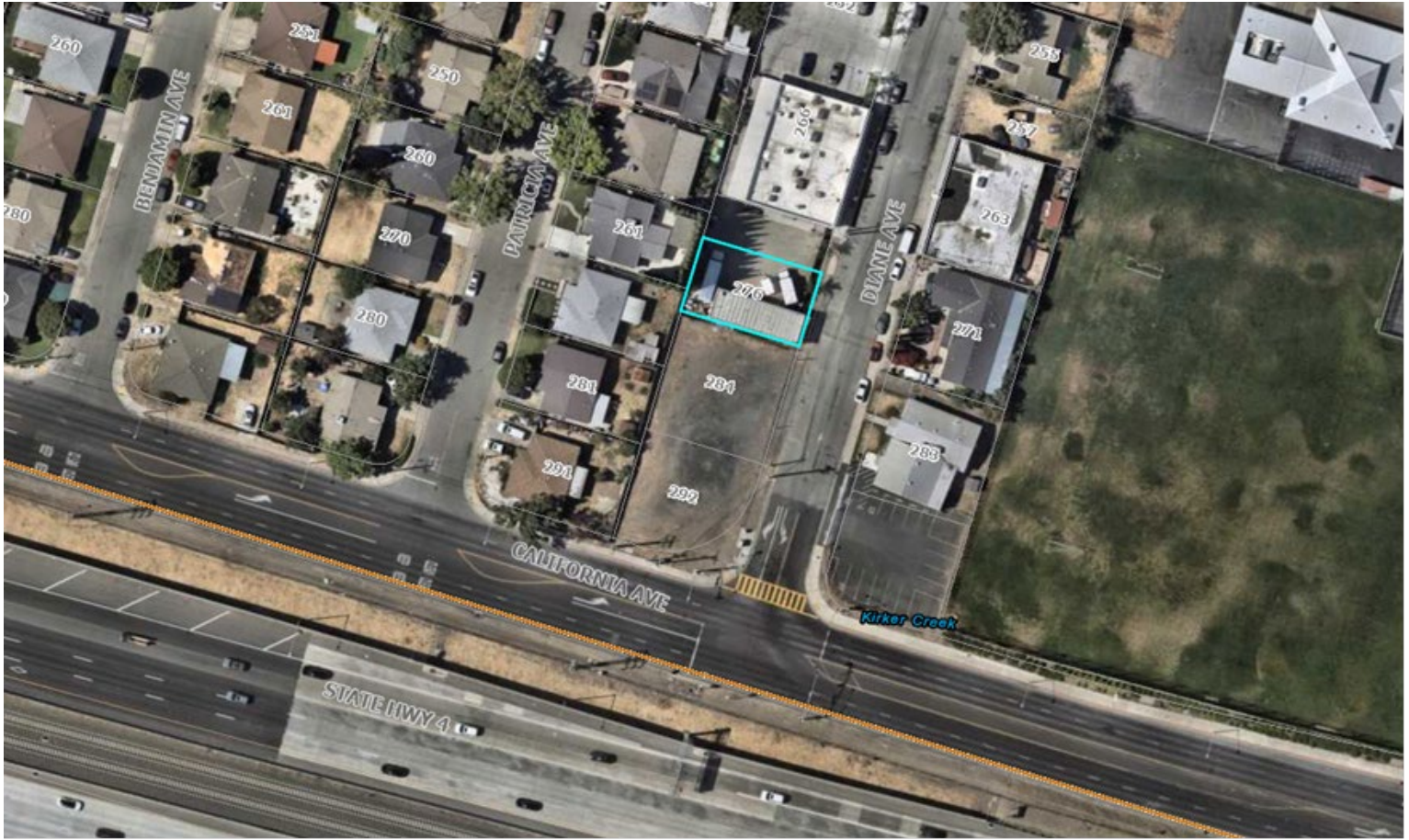
Comments or objections to the project can be made by writing or through e-mailed testimony prior to and oral testimony during the meeting. Written comments citing the project name may be emailed to the project planner listed above or may be mailed or delivered to Pittsburg Planning Division, 65 Civic Avenue, Pittsburg, CA 94565. Pursuant to Section 65009 of the California Government Code, if you challenge this matter in court, you may be limited to those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on the matter delivered to this agency at, or prior to the public hearing. Any written correspondence delivered to the Planning Division before the hearing body's action on the matter will become a part of the administrative record.

*Para información en
español:*

(925) 252-4920


JOHN FUNDERBURG, SECRETARY
PITTSBURG PLANNING COMMISSION

Project Title: AP-22-0095 – Los Gallos Express Commercial Improvement (ZA UP, ADR)
Location: 276 Diane Avenue, Pittsburg, CA 94565



City of Pittsburg
California

**Community and Economic Development Department -
Planning Division**
65 Civic Avenue
Pittsburg, CA 94565



NOTICE OF PUBLIC HEARING