MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION
April 28, 2009

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ramirez at 7:00 p.m. on Tuesday, March 24, 2009, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Fardella, Garcia, Kelley, Ohlson, Chairperson Ramirez

Absent: Wegerbauer

Staff: Assistant City Manager/City Engineer Joe Sbranti, Planning Manager Dana Hoggatt, Senior Civil Engineer Alfredo Hurtado, Associate Planners Kristin Vahl and Leigha Schmidt, and Administrative Assistant to Director Kathy Comtois

PLEDGE OF ALLEGIANCE:

Commissioner Ohlson led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES:

There were no deletions, withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

There were no presentations.
CONSENT:

1. Meeting Minutes, March 24, 2009

Commissioner Ohlson requested that the minutes be discussed by the Commission. He requested that the text of the last bullet point on page 4 of the draft minutes be revised to read:

- Page 115, add a Policy 6-P-11.5, to read: “Discourage by design motorists using the parking structures or lots from using pedestrian friendly Bliss Avenue for access to the structures or lots.”

He also requested that the seventh bullet point on page 7 be revised to include the word “long”, in order to read as follows:

- Page 134, last paragraph, pointed out that State law had strong rules on how long buses could idle;

MOTION:

Motion by Commissioner Ohlson to adopt the Consent Calendar, as amended. The motion was seconded by Commissioner Kelley and carried by a unanimous vote of all Commissioners present.

PUBLIC HEARING:

Item 2: La Aurora Mixed Use Building. AP-08-576 (DR, VA, UP).

This is an application by Michael Woldemar & Associates, on behalf of Kassim Shaibi, requesting: 1) design review approval of architectural plans to construct a 6,758 square foot mixed use building consisting of ground floor retail commercial space and two residential units and two commercial offices on the second floor; 2) approval of a variance from minimum off-street parking requirements; and 3) use permit approval for a grocery store with beer and wine sales at 308 West 10th Street. The site is zoned M (Mixed Use) District. APN 085-222-014. (Continued from March 24, 2009, at the request of the applicant.)

Associate Planner Kristi Vahl presented the staff report dated April 28, 2009. She recommended that the Commission approve the project, subject to the conditions in the proposed resolution attached to the staff report.

PUBLIC HEARING OPENED
PROPOUNENTS:

Michael Woldemar, Architect, spoke and answered Commissioners’ questions. Kassim Shaibi, the property owner, was also present.

Mr. Shaibi stated that he agreed with the conditions of approval as drafted by staff, with the exception of proposed condition numbers 3, 5, 10 and 12. Specifically, he requested that he be allowed to sell alcohol between beginning at 8:00 a.m.; that he not have to add to his State alcohol license any language regarding the restriction on single container sales; that the limitation on display of alcoholic beverages and signs inside the store be relaxed; and that he be allowed to sell “Brillo” style dish scrubbing pads from the store.

Marcelino M. Vasquez, 345 West 10th Street, Pittsburg, spoke in support of the applicant and development of the La Aurora Mixed Use project.

OPPONENTS:

None.

PUBLIC HEARING CLOSED

MOTION:

Following Commission deliberation on the item, Commissioner Garcia moved to adopt Resolution No. 9789 approving AP-08-576 (DR, VA, UP), with conditions as recommended by staff but with the following revisions:

- The second sentence of condition no. 10 of the proposed resolution be deleted;
- The words “Brillo’ style scrubbing pads” be deleted from condition no. 12;
- The text of condition no. 14 be expanded to clarify that the security cameras on-site also provide video surveillance of the sidewalks and parking lot adjacent to the store; and
- Conditions of approval be added to ensure ongoing maintenance of the property and building, including awnings.

Commissioner Fardella seconded the motion. The motion carried by unanimous vote of all Commissioners present.
This is an application by Koch Carbon, LLC, requesting a use permit to install a 1,000 gallon above ground fuel storage tank that would be used to store diesel fuel for vessel loading operation at 707 East 3rd Street in the IG (General Industrial) District. APN 073-020-020.

Associate Planner Leigha Schmidt presented the staff report dated April 28, 2009. She recommended that the Commission approve the project, subject to the conditions in the proposed resolution attached to the staff report.

PUBLIC HEARING OPENED

PROPOONENT:

The applicant Ed Koerperich, Manager of Koch Carbon in Northern California, located at 707 East 3rd Street in Pittsburg, was present to answer all Commissioners' questions. He also provided clarifying details on the materials used in the assembly of the tank.

OPPONENTS:

None.

PUBLIC HEARING CLOSED

MOTION:

Following Commission deliberation on the item, Commissioner Fardella moved to adopt Resolution No. 9794 approving AP-09-592 (UP), with conditions as recommended by staff. Commissioner Kelley seconded the motion. The motion carried by unanimous vote of all Commissioners present.

COMMISSION CONSIDERATIONS

Item 4: Delta Gateway Center – Pad 12. AP-08-561 (DR).
A request by James Wang of Discovery Builders, Inc., requesting design review approval of architectural and site development plans to construct a 10,173 square foot multi-tenant building, located on the south side of Century Boulevard, immediately west of the western terminus of Delta Gateway Boulevard. The project site is zoned CC (Community Commercial) District. APN 074-460-032. (Continued from March 24, 2009, at the request of the applicant).
Associate Planner Kristi Vahl presented the staff report dated April 28, 2009. She recommended that the Commission approve the project, subject to the conditions in the proposed resolution attached to the staff report.

PROPONENT:

Louis Parsons of Discovery Builders spoke on behalf of Sierra Properties, who would be the commercial management company for the property. Mr. Parsons stated that he agreed with the conditions of approval as drafted by staff, with the exception of proposed condition no. 5, which required materials and finishes used on the fronts of the parapets to be carried around to the backs of the parapets to create a four-sided tower element. Doug Messner, President of Sierra Properties, was also available to answer Commissioners' questions.

OPPONENTS:

None.

MOTION:

Following Commission deliberation on the item, Commissioner Garcia moved to adopt Resolution No. 9791 approving AP-08-561 (DR), with conditions as recommended by staff, with the exception of condition no. 5, which he moved be deleted from the resolution. Commissioner Fardella seconded the motion. The motion carried by unanimous vote of all Commissioners present.

ZONING ADMINISTRATOR REPORTS:

Item 5: Notice of Intent to Exercise Delegated Design Review Authority and Submittal of Adopted Zoning Administrator Resolutions.

Pursuant to Planning Commission Resolution No. 9444, design review of certain projects can be delegated from the Planning Commission to the Zoning Administrator. Prior to approving any delegated design review application, the Zoning Administrator must notify the Commission of her intent to exercise delegated design review authority. Copies of resolutions approving any delegated design review application must also be provided to the Commission.

The Planning Commission acknowledged receipt of a Notice of Intent for Hernandez Auto Body Façade Remodel, AP-09-603 (AD). The Commission also acknowledged receipt of copies of adopted Zoning Administrator Resolution numbers 121, 123, 124, 125, and 126.
STAFF COMMUNICATIONS:

There were no Staff Communications.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:48 p.m. to a Regular Meeting scheduled on May 12, 2009, in the City Council Chamber at 65 Civic Avenue, Pittsburg, CA.

[Signature]

for MARC S. GRISHAM, AICP, Secretary
Pittsburg Planning Commission