MINUTES

OF A REGULAR MEETING
OF THE

PITTSBURG PLANNING COMMISSION

January 13, 2009

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ramirez at 7:00 p.m. on Tuesday, January 13, 2009, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

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

Excused: Commissioner Fardella

Absent: None

Staff: City Engineer Joe Sbranti, Planning Manager Dana Hoggatt, Associate Planner Kristi Vahl, and Administrative Assistant to Director Kathy Comtois

PLEDGE OF ALLEGIANCE:

Commissioner Garcia 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. Minutes of Meeting, December 9, 2008

MOTION:

Motion by Commissioner Wegerbauer to adopt the Consent Calendar, as shown. The motion was seconded by Commissioner Garcia and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Kelley, Wegerbauer, Ramirez  
Noes: None  
Abstain: Commissioner Ohlson  
Absent: Commissioner Fardella

PUBLIC HEARINGS:

Item 2: JBC Recycling. AP-08-569 (UP).

A request by Jorge Balderrama for approval of a use permit to operate a large indoor carpet recycling facility within an existing 1,500 square foot tenant space located at 640 Garcia Avenue, Suite D, in the IP (Industrial Park) District. APN 088-392-005.

Associate Planner Kristi Vahl presented the staff report dated January 13, 2009. She recommended that the Planning Commission adopt Resolution No. 9781 approving AP-08-569 (UP), as conditioned.

Commissioner Ohlson spoke to Page 3 of 7 of the staff report, under Standards for Large Recycling Facilities, K, and asked for clarification from staff on the use of power driven processing.

Ms. Vahl noted the power driven equipment that would be used would be the compacter, although the applicant could clarify that issue.

Commissioner Ohlson also spoke to Page 5 of 7 of the staff report, Standards for Large Recycling Facilities, D, and verified with staff that overseas containers would not be stored outside.

PUBLIC HEARING OPENED

PROPONENT:

JORGE BALDERRAMA, 15 Marlin Drive, Pittsburg, was present although an unidentified individual spoke for him and explained that the business would recycle old carpet padding and cardboard to be placed on carts, weighed, placed into the compacter and stored. Once a quota was reached, the material would be shipped to a processing plant. There...
would be no fees imposed on the recycled materials in that the customers would be paid to drop off the items.

It was also clarified that the compactor would be power driven. The cardboard and carpet padding would be the only items to be compacted. The bales would be moved by a forklift.

Commissioner Diokno asked how much the carpet would weigh once compacted and how high the material could get, to which the applicant’s representative advised that the quota would be 700 pounds, three by four feet in size, to be removed by a big rig vehicle.

Chairperson Ramirez was confident that there would not be an issue with dumping at the site since clients would be paid a fee to drop off their recycled carpet or cardboard items.

In response to Commissioner Wegerbauer, the applicant expressed his agreement to the staff recommended conditions of approval.

OPPONENTS:  None

PUBLIC HEARING CLOSED

MOTION:

Motion by Commissioner Wegerbauer to adopt Resolution No. 9781, approving a use permit to operate a Large Indoor Recycling Facility within an existing 1,500 square foot tenant space located at 640 Garcia Avenue, Suite D (APN 088-392-005) for “JBC Recycling. AP-08-569 (UP),” as conditioned. The motion was seconded by Commissioner Garcia and carried by the following vote:

Ayes:     Commissioners Diokno, Garcia, Kelley, Ohlson, Wegerbauer, Ramirez
Noes:     None
Abstain:  None
Absent:   Commissioner Fardella

COMMISSION CONSIDERATIONS:

Item 3: Century Plaza Pad 4 Sign Program. AP-08-565 (SR).

An application by Louis Parsons of Discovery Builders, requesting approval of a master sign program for an existing building currently under renovation on Pad 4 of the Century Plaza Shopping Center. The building is located at 4401 Century Boulevard in the CC (Community Commercial) District. APN 074-460-010.
Planning Manager Dana Hoggatt presented the staff report dated January 13, 2009. She recommended that the Planning Commission adopt Resolution No. 9782 approving AP-08-565 (SR), as conditioned.

Commissioner Ohlson spoke to the staff recommendation as shown on Page 1 of 7 of the staff report, specifically recommendation 5 and the use of the term “duplicitous”. He recommended that term be changed to “duplicative.” He also spoke to the second paragraph of the analysis as shown on Page 7 of 7 of the same staff report, and asked for clarification from staff on the intent of the applicant to permit professionally installed posters in storefront windows with landlord approval.

Ms. Hoggatt explained that the intent of the professionally installed posters in the storefront windows was that they be professionally designed.

Commissioner Ohlson recommended that be clarified in the conditions of approval.

Commissioner Wegerbauer understood that logos could not be treated differently from text. She acknowledged that the shopping center needed visible signage, although she questioned the City allowing double lines of text within the maximum allowable sign height. She was concerned that that situation could result in a sign that was not clearly visible, which issue had occurred with other signs allowed in the City.

Ms. Hoggatt explained that 24 inches would be consistent with what had been proposed in the applicant’s sign program.

Commissioner Wegerbauer was not convinced that the size of the letters would be visible and if the sign area was increased whether or not the logo box would be too large.

Ms. Hoggatt explained that the City could not regulate content and could not specify different criteria for text versus a logo. If the Commission were to adopt a maximum height, it would have to be the same for the logo and the text. The City could not mandate two different standards for text versus logo.

PROPONENT:

DOUG MESSNER, Century Plaza Corporation, 3890 Railroad Avenue, Pittsburg, explained that the sign program was similar to efforts on the smaller buildings in the same area. The intent was to have a logo height not-to-exceed 36 inches, and if stacked copy, the total sign area should be up to 36 inches allowing a larger and more visible sign. He recognized that did not mean that the letters could exceed 24 inches.

Ms. Hoggatt explained that if the Commission wanted to allow that option, her only concern was that in discussions with the applicant on allowing one line of text versus two, there was some desire on staff’s part for a consistent sign height regardless of whether
the text was one or two lines, which was why the recommended condition was 24 inches. Commissioner Wegerbauer understood that if 36 inches were allowed, the height of the letters could be 12 inches and 12 inches if two lines of text were used.

Mr. Messner understood that the sign program as written would allow a maximum 24-inch high letter. If they were to have 36 inches to work with, then there could be a 24-inch letter on the top and a smaller letter below it, limited to a 36-inch sign height overall.

Commissioner Wegerbauer verified with staff that the increase in sign height from 24 to 36 inches would change the resolution and the sign program as proposed. She reiterated her concern with the use of two lines of text, although she noted that if the applicant was confident that would allow flexibility and the sign would be readable, she could accept it.

Mr. Messner suggested that the sign would be readable with a workable program. He was confident that with regional tenants, a professional sign company would be retained and would use a sign design that would work. If there was an overall height of 36 inches with a stacked scenario, the logo could be up to 36 inches and the letters in a single line would be at 24 inches.

Ms. Hoggatt noted that would differentiate from the sign criteria as drafted. The sign program currently permitted an overall sign height at 24 inches regardless of whether or not there were one or two lines of text. The alternative proposal would allow an additional foot of height for all of the wall signs with two lines of text.

Mr. Messner suggested that differentiation would be good and different designs would be good. There were different sizes and places for the signs. He suggested that it would allow flexibility where the signs would not line up next to one another. He referred to the site plan of the sign locations, specifically the pop-up areas. He noted that on the north elevation, as an example, the pop-up would allow a sign at 36 inches and Tenant C could have a 24-inch sign.

Commissioner Wegerbauer questioned whether there was room for Tenant C to have more than 24 inches.

Mr. Messner advised that the Century Plaza sign program allowed 36 inches in that area.

Ms. Hoggatt clarified that the Century Plaza sign program allowed 24 and 36-inch tall letters.

Commissioner Wegerbauer spoke to the east elevation, Tenants C and D as examples, and asked if there was another example within the development where there could be a 36-inch and a 24-inch high sign. She expressed concern with the visual impacts.
Ms. Hoggatt referred to photographs of the shopping center and noted that Payless Shoe Source had larger letters double stacked. The adjacent tenant, See’s Candies, had one line of text.

Mr. Messner corrected that See’s Candies had two lines of text and the adjacent tenant to See’s was a motorcycle store with larger letters on a single line. Ms. Hoggatt acknowledged that the center had some signs that were at different heights.

Commissioner Wegerbauer understood that the applicant’s request would then actually fit with what had already been occurring in the center.

In response to Commissioner Garcia, Ms. Hoggatt explained that Tenant B’s identification signage would be on the north elevation.

Commissioner Garcia understood the desire for 36 inches for potential signage identifying Tenant E and potential signs A-1 and A-2 identifying Tenant A, which would have a larger area. The same could be said for the northern elevations where there was room for larger signs. He did not see that 36 inches would be unreasonable particularly in the larger areas that would be higher and need to be more readable.

Mr. Messner noted that the sign was also based on the length of the storefront, the business name and other restrictions, and it was not likely that everyone would have 24-inch tall letters.

Commissioner Wegerbauer spoke to Resolution No. 9782, Section 3. Decision, Condition 6, and clarified with Mr. Messner that the use of poster signs would have to be approved by the landlord.

Ms. Hoggatt explained that the City’s Sign Ordinance allowed 35 percent of the windows to be covered, although the proposed sign program also stipulated a maximum percentage of window glazing that could be covered with signage. Darkened film, which was not signage, was typically used to hide storage areas.

Commissioner Ohlson also referred to Resolution No. 9782, Section 3. Decision, Condition 6. He recommended that the condition be modified to read:

6. **Poster signs that are professionally designed, printed, framed and suspended in front of the window glazing from the ceiling as unobtrusively as possible, and temporary poster decals that are professionally placed or affixed to the interior window glazing at a tenant space may be permitted in windows, provided that each sign receives landlord approval and provided that all window signs comply with the area limitations for window signs set forth in the Sign Ordinance (PMC Sections 19.16.020 B, 19.12.030 C, and 19.12.050.G)**

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In response to the Chair, Mr. Messner affirmed his agreement with the staff recommended conditions of approval, with the amendment to Condition 6, as shown.

OPPONENTS: None

Commissioner Garcia reiterated that he was not opposed to enlarging the signs to 36 inches in size.

Chairperson Ramirez also supported enlarging the signs to 36 inches.

Commissioner Wegerbauer again expressed her concern for the readability of two lines of text although she could leave that issue to the landlord. She too supported enlarging the signs to 36 inches.

Commissioner Garcia made a motion to approve Resolution No. 9782, as conditioned, and subject to the following modifications:

- Amend Page 2 of 6 of Resolution No. 9782, Section 2. Findings, A 2, change reference from 24 inches to 36 inches;
- Amend Page 3 of 6 of Resolution No. 9782, Section 2. Findings, A 2b, change the reference from 24 inches to 36 inches;
- Amend Page 4 of 6 of Resolution No. 9782, Section 3. Decision, A 3, change reference from 24 inches to 36 inches;
- Amend Page 4 of 6 of Resolution No. 9782, Section 3. Decision, A 6, as follows:

  6. *Poster signs that are professionally designed, printed, framed and suspended in front of the window glazing from the ceiling as unobtrusively as possible, and temporary poster decals that are professionally placed or affixed to the interior window glazing at a tenant space may be permitted in windows, provided that each sign receives landlord approval and provided that all window signs comply with the area limitations for window signs set forth in the Sign Ordinance (PMC Sections 19.16.020 B, 19.12.030 C, and 19.12.050.G)*

Commissioner Kelley seconded the motion.

Ms. Hoggatt requested clarification that the intent of the motion was to allow a maximum sign height of 36 inches, maximum letter height at 24 inches and logos that could be a maximum of 36 inches.
Commissioner Wegerbauer understood that the applicant had indicated that the letter height would not exceed 24 inches.

On the motion, the maker and second of the motion withdrew the motion and second to allow the applicant to again address the Commission.

Mr. Messner clarified the intent of his request was for the entire sign to be 36 inches, with the letters fixed at 24 inches, and with the taller building elevations allowed to have the 36 inch height.

Commissioner Wegerbauer wanted consistency with what was already occurring in the remainder of the shopping center. If the letters were allowed to be 36 inches, she asked whether or not that would be consistent with what was occurring in the center.

Ms. Hoggatt explained that the current sign program for the Century Plaza Shopping Center allowed 24 and 36-inch letters depending on whether the letters were block or script. She explained that 36 inches would be consistent with the sign program currently allowed. If the Commission desired to allow 36 inches on the taller parapet walls, if proportionate to the building, that would be consistent with the maximum sign height for the remainder of the tenants in the center.

On the discussion, Mr. Messner again agreed to allow 36 inches on the higher elevations.

Commission Garcia restated his motion to approve Resolution No. 9782, as conditioned, and subject to the following modifications:

- Amend Page 2 of 6 of Resolution No. 9782, Section 2. Findings, A 2, change reference from 24 inches to 36 inches;
- Amend Page 3 of 6 of Resolution No. 9782, Section 2. Findings, A 2b, change the reference from 24 inches to 36 inches;
- Amend Page 4 of 6 of Resolution No. 9782, Section 3. Decision, A 3, change reference from 24 inches to 36 inches;
- Amend Page 4 of 6 of Resolution No. 9782, Section 3. Decision, A 6, as follows:

6. Poster signs that are professionally designed, printed, framed and suspended in front of the window glazing from the ceiling as unobtrusively as possible, and temporary poster decals that are professionally placed or affixed to the interior window glazing at a tenant space may be permitted in windows, provided that each sign receives landlord approval and provided that all window signs comply with the area limitations for window signs set forth in the Sign Ordinance (PMC Sections 19.16.020 B, 19.12.030 C, and 19.12.050.G)

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• Add in Section 3. Decision, Condition 13:

13. Thirty-six (36) inch tall lettering and logos to be allowed on the higher parapets and 24-inch tall letters and logos on the lower walls.

Ms. Hoggatt explained that the new condition would essentially replace Section 3. Decision, A 3.

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9782, granting sign review approval for a five-tenant building located at 4401 Century Boulevard, for “Century Plaza Pad 4 Sign Program. AP-08-565 (SR),” as conditioned and modified, as shown. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Kelley, Ohlson Wegerbauer, Ramirez
Noes: None
Abstain: None
Absent: Commissioner Fardella

**Item 4: Old Town Entry Sign. AP-08-580 (SR).**

An application by the Redevelopment Agency of the City of Pittsburg requesting approval for: 1) the installation of a 13-foot tall, 33.25 square foot freestanding sign with a full color, light emitting diode (LED) display; and 2) sign exceptions for sign location, height, and type. The proposed sign would be used to advertise community events and would be located on the northwest corner of Railroad Avenue and East Tenth Street in the GQ (Governmental/Quasipublic) District. APN 085-193-006.

Associate Planner Kristi Vahl presented the staff report dated January 13, 2009. She recommended that the Planning Commission adopt Resolution No. 9783 approving AP-08-580 (SR), as conditioned.

**PROPOONENT:** City of Pittsburg Redevelopment Agency

KERRY LYMAN, representing the Pittsburg Redevelopment Agency, affirmed when asked by Commissioner Garcia that he was in agreement with the conditions.

Commissioner Diokno spoke to the area under the arch as depicted in the photo simulation and clarified with staff that the area under the arch would not be blocked. It was intended to be clear.
Commissioner Ohlson recognized that the City’s Sign Ordinance was in the process of being reviewed and that the current Sign Ordinance opposed the use of LED signs. While he was not opposed to the proposed sign, he questioned the proposal for an LED sign that staff had previously indicated was not something the City wanted. He questioned approving a sign that was not supported in the Sign Ordinance and would require an exception for approval. He asked how often the sign copy would change.

Mr. Lyman advised that the program copy could be programmed to change as frequently or as infrequently as desired.

Commissioner Wegerbauer liked the sign copy reading “City of Pittsburg” on the top of the sign. She really liked the design of the sign.

OPPONENTS: None

Commissioner Ohlson commented that he would like to see the consideration of similar signage at the off-ramp at eastbound State Route 4 which could be used to display information on upcoming events in the City.

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9783, approving: 1) a 13-foot tall, 33.25 square foot freestanding sign with a full color LED display; and 2) sign exceptions for sign location, height and type at the northwest corner of Railroad Avenue and East Tenth Street (APN 085-193-006), for “Old Town Entry Sign. AP-08-580 (SR),” as conditioned. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Kelley, Ohlson Wegerbauer, Ramirez
Noes: None
Abstain: None
Absent: Commissioner Fardella

ZONING ADMINISTRATOR REPORTS:

The Planning Commission acknowledged receipt of the following Notice of Intent items:

5. Notice of Intent to Conduct a Zoning Administrator Public Hearing:
   1000 Beacon Fence Height Exception. AP-08-576 (FE)

6. Notice of Intent to Exercise Delegated Design Review Authority:
   MG4 Manufacturing. AP-08-579 (AD)
PLANNING DIRECTOR / STAFF COMMUNICATIONS:

There were no Planning Director or Staff Communications.

COMMITTEE REPORTS:

Commissioner Dickno reported that Supervisor Federal Glover had been elected as the new Chair of the TRANSPLAN Committee for 2009.

PLANNING COMMISSIONERS' COMMENTS:

Commissioner Dickno expressed concern that some commercial buildings in the City had opted for a simple solution for the garbage enclosures and had placed them separate from the building. He suggested it would be simpler to allow the garbage enclosure to be part of the building or as an architectural element of the entire design. He asked staff to consider opportunities for variety on the site designs on those elements. He otherwise asked for a status report from staff on the potential land trade in the hillsides.

Ms. Hoggatt reported that she had no further information beyond what had been reported in the local newspaper and explained that the City Council had agreed to allow the City Manager to enter into discussions with Discovery Builders to explore the possibility of developing single family residences above the golf course area in exchange for reducing the number of residential lots in the southwest hills.

City Engineer Joe Sbranti explained that the concept was to take the controversial development area in the hills and swap it for the area around the golf course with the opportunity to develop estate homes on a golf course, which would be less controversial since the City of Concord had opposed any interruption of its vistas from its side of the hills. At the same time, the developer would trade off some open space in the hillsides in lieu of the open space given up in the golf course area. He clarified that possibility could take several years to resolve since the land in the golf course area involved some restrictions.

Commissioner Dickno suggested that the land around the golf course was more valuable than the land undeveloped in the hills and suggested that a one-on-one trade in his opinion would not benefit the citizens of Pittsburg.

Mr. Sbranti understood the concerns and noted that there was a lot going into the effort and that reconstruction of the golf course may be necessary to make the option work in order to maximize the number of golf course adjacent homes. The exclusive right to negotiate was for a three-year term. He suggested it may take that time to negotiate to a point where there was a project. The development of the project would then have to go through the full California Environmental Quality Act (CEQA) process which would be much longer. Given the economy, he saw the process to be a lengthy one.
Mr. Sbranti added in response to Commissioner Diokno as to the status of the Hillside Ordinance that direction must be given from the City Manager and/or the City Council. The ordinance had currently been shelved.

Commissioner Garcia reported that the California Restaurant next to Country Waffles had recently closed. He asked that the property owner be contacted to clear the windows of the building since the business had been closed, and the remnant signage gave customers a misconception that the business was still in operation. He expressed concern with the condition of the entire shopping center where the business was located.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:16 p.m. to a Regular Meeting scheduled on January 27, 2009, in the City Council Chamber at 65 Civic Avenue, Pittsburg, CA.

MARC S. GRISHAM, Secretary
Pittsburg Planning Commission