A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ohlson at 7:03 p.m. on Tuesday, May 13, 2008, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California.

**ROLL CALL:**

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

Absent: None

Staff: City Manager/Planning Director Marc Grisham, Senior Planner Dana Hoggatt, Assistant Planner Ali Endress, Assistant Planner Leigha Schmidt, Senior Civil Engineer Alfredo Hurtado, Senior Civil Engineer Paul Reinders, and Assistant City Engineer Keith Halverson

**POSTING OF AGENDA:**

The agenda was posted at City Hall on Thursday, May 8, 2008.

**PLEDGE OF ALLEGIANCE:**

Chairperson 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:

Traffic Division Updates: Paul Reinders, Senior Civil Engineer

Senior Civil Engineer Paul Reinders presented the Traffic Division Updates for traffic calming policies, school area traffic issues, and grant funding for transportation improvements. He also identified regional transportation planning issues involving the Metropolitan Transportation Commission (MTC), the Contra Costa Transportation Authority (CCTA), the TRANSPLAN Committee, and the East Contra Costa Regional Fee and Financing Authority (ECCRFA) regarding the Countywide Pedestrian and Bicycle Plan, Regional Action Plans, the Growth Management Plan Checklist to be presented to the City Council on June 16, the James Donlon Boulevard Extension Project [formerly Buchanan Road Bypass]; and the Civic Center/Pittsburg Office Tower/Courthouse projects. He conducted a question and answer session with the Planning Commission on the various projects from the Traffic Division.

A.J. FARDELLA, Pittsburg, displayed a painting of a steamer the Heliopolis and noted that he had learned that he and Commissioner Garcia’s families had traveled on the steamer from Spain to Hawaii.

CONSENT:

Item 1: Meeting Minutes, April 22, 2008

MOTION:

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

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

PUBLIC HEARINGS:

There were no Public Hearings.
COMMISSION CONSIDERATIONS:

Item 2: U. S. Glass & Aluminum. AP-07-474 (DR)

An application by John Brimmer of U.S. Glass & Aluminum requesting design review approval of architectural plans to construct a new 7,020 square foot building on a 22,913 square foot lot at 605 Industry Road. The site is in the CW (Waterfront Commercial) District. APN 073-042-025.

Assistant Planner Ali Endress presented the staff report dated May 13, 2008. She recommended that the Planning Commission adopt Resolution No. 9756, approving AP-07-474 (DR), as conditioned.

Ms. Endress advised that she had presented the Commission with a memorandum where staff had recommended that the western elevation be modified to include an aluminum trellis and a decorative perforated metal background to add visual interest to that elevation. Staff no longer recommended that the area behind the aluminum trellis and perforated metal background be painted a contrasting color. The applicant had agreed to that revised condition. While there had been agreement with the applicant on the design of the western elevation, she noted there had been no agreement on a color scheme.

The applicant had requested a gray building with white trim in the belief that it would be more visually appealing and would match the existing building on the site. Staff had stressed the importance that new buildings and developments in the City exceed the quality of the existing neighborhood and set a high quality design standard. It was the staff belief that the buildings in the CW District should also be held to the same design standards as buildings in other zoning districts despite the blighted appearance of the Industry Road neighborhood.

Ms. Endress suggested that the addition of color to the Industry Road landscaping and the CW District would add visual interest to an aesthetically bland area of the City. As such, she had recommended that the building walls be painted green for a more commercial appearance and to be inviting and appealing to visitors and guests of the Pittsburg waterfront as the CW District was developed.

Ms. Endress also clarified that the proposed color scheme for the building, as noted in the staff report, had been inaccurate. The staff report had indicated that the applicant wished to paint the building white with gray trim, although the applicant planned to paint the building gray with white trim. While staff acknowledged that gray building walls would be equally effective as green walls at deflecting the appearance of dust from the nearby petroleum coke facility, it was suggested that the green building walls would better complement the CW District, the Industry Road neighborhood and the City.
Ms. Endress acknowledged that the applicant was not in agreement with the staff recommendation for building colors. She suggested that the applicant’s desire to coordinate the two buildings would be better accomplished with the Colony Green wall color by allowing the roll up doors, pedestrian doors and the roof on the proposed structure to be painted Old Town Gray to match the wall color of the existing Old Town Gray building on the site, and require the white fascia of the gutter on the existing building to be painted Burnished Slate to match the recommended trim color on the proposed building. She suggested that those modifications would improve the appearance of the neighborhood.

Ms. Endress also noted that in addition to the color proposed by staff, the applicant was not in agreement with Section 3, Decision, Architectural Condition No. 13 of Resolution No. 9756.

Commissioner Garcia commented that he had viewed the site. He suggested that the green color was a fad and that the gray color had been popular years ago. Based on the existing gray building, he suggested that the gray color would accomplish as much as the green color would and that the green would not match the remainder of the property. He questioned the need to match the color with the coke on Harbor Street. He preferred that the coke not be allowed to spill. He pointed out that the coke trucks were not being blown dry after being washed clean and that much of the coke had destroyed the landscaping along the bypass to Third Street.

PROPONENT:

JOHN BRIMMER, U.S. Glass & Aluminum, 605 Industry Road, Pittsburg, Owner/Applicant, spoke to the Harbor Street elevation and noted that regardless of the building color, much of the structure would not be visible. He commented that staff had wanted a sign to cover the existing portion of the wall, which had been done. In addition to the sign, a trellis would also hide the color of the wall. The existing building had been constructed with siding and trim in 2007 and at the recommendation of staff at that time, the trim had been changed to three inches to provide a more pronounced opening. The intention was for the new building to match the existing building with three-inch trim all the way around the door.

Mr. Brimmer provided the Commission with information from the building company as to the proposed eaves. The original proposal had included sculptured gutters that would address the aesthetic value of the property. In order to provide the eaves, as recommended by staff, the cost of the project would be greatly increased and might require the revamping of the piers and pilings, adding to the project cost. He added that the project had increased in cost 32 percent since the time he had entered into the permit process. He pointed out that the property was located in a light industrial area and the intent of the design had not been to attract walk-in traffic. He suggested that the proposal was more than sufficient for the area and an improvement to the existing neighborhood.
The General Manager of Atlas Palette Company, located on Industry Road for the past 40 years, commented that he had worked with the property owner/applicant of U.S. Glass & Aluminum in the past. He commented on the fact that property owners were making an investment in the neighborhood. He too had a project in process with the City and he emphasized that property owners were making major investments to improve the area. He suggested that the proposed building would enhance the entire area.

OPPONENTS: None

Commissioner Garcia reiterated that he had visited the site. He stated that the building colors and design, as submitted by the applicant, would more than enhance the area. He agreed that the building was not clearly visible due to the existing trellises and the fence along Harbor Street.

Commissioner Wegerbauer thanked staff for the work in the Old Town neighborhood and surrounding areas. While she recognized the intent of the staff recommendations and acknowledged that she had not visited the area, she agreed that the proposal, as submitted by the applicant, would be acceptable. She supported Commissioner Garcia’s recommendations.

Chairperson Ohlson liked the fact that the building would match the existing building. While he too recognized the intent of the staff recommendation to paint the building green, he stated that the company would bring sales tax revenue to the City and would influence the neighborhood. He had no concern with a gray building. He was also not opposed to the applicant’s proposal for the rain gutters.

Speaking from the audience, when asked, Mr. Brimmer stated that he had read the conditions of approval in the resolution and was in agreement with those conditions, with the exception of the items he had identified.

Commissioner Diokno suggested that the more attractive portion of the area was the railroad right-of-way and if cleaned by the City stated that would improve the area. He expressed his appreciation to the staff efforts to upgrade the quality standards in the City, although he too had no concerns with the gray color as proposed by the applicant.

Commissioner Ramirez supported the applicant’s proposal and agreed that the proposed improvements would enhance the area. He also clarified that the building would be gray with a white roof matching the existing structure.

Commissioner Kelley stated that she too had visited the site and had no concerns with either a green or gray color for the building. She had no issues with the proposal.

Chairperson Ohlson expressed his hope that the project would be an impetus for more property owners in the neighborhood to improve the area and the image of the City.
MOTION: AP-07-474 (DR)

Motion by Commissioner Garcia to adopt Resolution No.9756, approving AP-07-474 (DR), granting design review approval to construct a new 7,020 square foot prefabricated building and related site improvements on a 22,913 square foot lot at 605 Industry Road for “U.S. Glass & Aluminum, AP-07-474 (DR),” as conditioned, with the building color and eaves to be as submitted by the applicant. The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

Chairperson Ohlson reported that he would have to recuse himself on the discussion of Item 3, E.J. Phair Restaurant and Brewery, due to a potential conflict of interest. He left the dais at this time.

Vice Chair Garcia chaired the meeting at this time.

Item 3: E.J. Phair Restaurant and Brewery. AP-07-496 (DR)

An application by John Phair for E.J. Phair Brewing Company requesting design review approval of architectural plans for exterior renovations and improvements at 190 East Third Street, in order to accommodate a full-service restaurant and ancillary brewery. The site is in the CP (Pedestrian Commercial) District. APN 085-108-010.

Assistant Planner Leigha Schmidt presented the staff report dated May 13, 2008. She recommended that the Planning Commission adopt Resolution No. 9757 approving AP-07-496 (DR), as conditioned. She asked that Section 3. Decision, Condition 5 of Resolution No. 9757 be amended to reflect that the downspouts were to run under the sidewalk from the gutter and not be filtered through the landscaping.

PROPOONENT:

The Project Architect walked the Planning Commission through the architectural details, the location of the building in the New York Landing Historic District and identified the surrounding uses. She noted that the grain silo would be located 65 feet away from East Third Street, allowing for the grain to be delivered to the silo. She also identified a new entrance with accessible entry and an area for outdoor dining with the hope that when the City widened the sidewalk in the future that area could be increased.

Colored renderings displayed the transom windows to be preserved and the new grain silo to be installed next to Cumberland Street, as well as the new storefront configuration,
new entrance and landing below a projecting copper canopy, two downspouts on either side of the entrance, and the easternmost bay modified to match all of the other bays of the building along the East Third Street elevation. Additional details, such as windows, roll up doors, lighting fixtures, and service bays were also identified on the plans. All of the design improvements complied with the Old Town Design Guidelines and Secretary of Interior Standards for the Treatment of Historic Properties.

The Architect advised that the applicant would comply with all conditions. With respect to Section 3. Decision, Condition 5 of Resolution No. 9757, she clarified where the drainage would come off of the canopy and noted that the existing roof drainage would remain as is. She also identified the location of additional smaller lighting fixtures along the east elevation of Cumberland Street as recommended by planning staff. Additionally, she identified the westernmost metal door, which would be changed to wood with a wood design compatible with the rest of the doors.

JOHN PHAIR, E.J. Phair Restaurant and Brewery, 975 Detroit Avenue, Unit E, Concord, explained that the grain silo would consist of a corrugated metal material with a galvanized cylindrical bottom and would be 30 feet in height with horizontal ribbing. The company logo would be painted on the side. The grain silo would be visible along Cumberland Street. He added, when asked, that he anticipated that the business would be open in the October/November timeframe depending on the extensive retrofitting that would be required.

In response to Commissioner Diokno, Mr. Phair explained that the grain transferred by delivery truck to the silo would be blown into the silo so that the grain dust would not be an issue and would be conveyed under the sidewalk into the building. The sidewalk would be covered and there would be no obstruction to the public.

Commissioner Wegerbauer was pleased that the business would be located in the City. She commented that she had shown the plans to the new operator of the adjacent business, the Liberty Hotel. The operator of the Liberty Hotel had suggested that the new business would draw attention from those driving by and would attract customers.

Commissioner Harris inquired of the use of the basement which had not been shown on the plans.

Mr. Phair advised that the basement would be used for the storage of beer and wine and would serve as cold storage for the restaurant.

Commissioner Ramirez was also pleased to see the business come to Pittsburg.

A.J. FARDELLA, Director of the Oak Hills Community Group, 209 Havenwood Circle, Pittsburg, was also pleased that the business would be coming to Old Town and
suggested that the business would attract people to the Old Town district. He liked the design, which had retained the historical value of the site.

Commissioner Kelley affirmed with Mr. Phair that he had read and was in agreement with the conditions of approval with the exception of Condition 5, which would be modified as identified by staff.

OPPONENTS: None

**MOTION:** AP-07-496 (DR)

Motion by Commissioner Wegerbauer to adopt Resolution No. 9757, approving AP-07-496 (DR), granting design review approval for exterior renovations and construction of a grain silo at 190 East Third Street for “E.J. Phair Restaurant and Brewery, AP-07-496 (DR),” as conditioned, with modification to Section 3. Decision, Condition 5 as proposed by staff, and with two added conditions requiring additional lighting on the east elevation and that the metal door on the north elevation be changed to wood. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Diokno, Harris, Garcia, Kelley, Ramirez, Wegerbauer

Noes: None

Abstain: None

Absent: Chairperson Ohlson [recused]

Chairperson Ohlson returned to the dais at this time.

City Manager Marc Grisham expressed his appreciation to the applicant and City staff for working together to bring the project to fruition, particularly to Garrett Evans present in the audience, who had been the Redevelopment Director at the time the project had initially been submitted to the City.

**ZONING ADMINISTRATOR REPORTS:**

There were no Zoning Administrator reports.

**STAFF COMMUNICATIONS:**

Mr. Grisham referenced the two projects that had just been approved by the Planning Commission for Old Town and stated that the City was making good progress as 2008 was the *Year of Results*. He was confident there would be a lot of results by the end of the year.
COMMITTEE REPORTS:

There were no Committee reports.

COMMENTS FROM COMMISSIONERS:

Commissioner Diokno referenced the notices for neighborhood meetings that had been held in the daytime and questioned why they had not been held in the evenings when there could be greater participation from the public.

Mr. Grisham explained that the neighborhood meetings were held on the weekends during the day with food provided. He understood that the past neighborhood meetings had experienced a good turnout and were driven by the staff on the Neighborhood Improvement Teams.

Commissioner Garcia reported that he had spoken with a member of the Pittsburg Unified School District (PUSD) regarding a request that the PUSD make a presentation to the Planning Commission on the new high school, particularly as it related to the traffic configuration on Harbor Street.

Mr. Grisham agreed that the PUSD could be invited to make a presentation. As to the specific traffic issues of that project, there had been an environmental process required and City staff had made extensive comments on the traffic issues. Staff still had questions on the bus turnout as referenced during Mr. Reinders’ presentation on the Traffic Division Updates. In the meantime, he noted that the PUSD Offices had been displaying a model of the new school in the lobby which could be viewed by the public.

Commissioner Garcia spoke to correspondence presented by Commissioner Harris, a copy of which had been provided to each Commissioner. He agreed with the request that the City Council consider a potential emergency ordinance to consider limiting the amount of time a property owner had to clean up a foreclosed property in the community. He asked that the request be considered to ensure that such properties did not affect the value of neighboring properties.

Mr. Grisham reported that code enforcement was aware of the issues and possibly may accelerate the timeframe while considering private property rights. He stated that it would require consideration by the City Council. He expressed the willingness to speak to the Council to see if it could get the banks into compliance quicker. He emphasized that the City had a very aggressive code enforcement team.

Commissioner Wegerbauer asked the City to consider preparing the neighborhood meeting flyers in both Spanish and English given that not all members of the community spoke English.
Mr. Grisham understood that had been done although he would check into that situation. He reported that bilingual staff members attended the meetings as well.

Commissioner Wegerbauer otherwise reported that she had attended the recent community meeting on transit oriented development (TOD).

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:34 p.m. to a Regular Meeting scheduled on May 27, 2008, in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MARC S. GRISHAM, Secretary
Pittsburg Planning Commission