MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION
September 9, 2008

A regular meeting of the Pittsburg Planning Commission was called to order by Vice Chair Diokno at 7:00 p.m. on Tuesday, September 9, 2008, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Garcia, Harris, Ohlson, Vice Chair Diokno
Excused: Commissioners Kelley, Wegebauer, Chairperson Ramirez
Absent: None
Staff: Assistant City Manager Matt Rodriguez, Senior Planner Dana Hoggatt, Senior Civil Engineer Alfredo Hurtado, Administrative Assistant to Director Kathy Comtois.

POSTING OF AGENDA:
The agenda was posted at City Hall on Thursday, September 4, 2008.

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:

Item 1: Meeting Minutes, August 26, 2008

MOTION:

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

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

COMMISSION CONSIDERATIONS

Item 2: Los Medanos Senior Apartments. AP-08-544 (DR).

An application by Domus Development, LLC, requesting design review approval for a 70,379 square foot, affordable multi-family development that would contain 81 senior-restricted units; a 7,687 square foot building that would house offices and a senior center for residents of the complex; and parking lot and site improvements on two lots at 925 Cumberland Street/295 East Tenth Street in the RHD (Downtown High Density Residential) District. APNs 085-196-001 and 085-196-002.

Senior Planner Dana Hoggatt presented the staff report dated September 9, 2008. She recommended that the Planning Commission adopt Resolution No. 9769, approving Design Review Application No. 08-544, as conditioned.

PUBLIC HEARING OPENED

PROPOSENT:

MEEA KANG, President, Domus Development, LLC, 594 Howard Street, Suite 204, San Francisco, explained that Domus Development had also developed the Entrata project in Old Town, a partnership between the developer and the Redevelopment Agency of the City of Pittsburg (RDA), which she suggested had shown a commitment to the City. She noted that Domus Development built projects that had a win-win effect for residents and the community in which they were located. In the case of the subject project, the RDA did
not own all of the land, and the developer had spent the last year and a half in negotiations with the Seventh Day Adventist Church to achieve a ground lease that would be suitable for the church and the RDA.

Ms. Kang reported that the ground lease should be completed with site control very soon in order to allow the developer to move forward with development. The church had met with the developer last month. At that time, the design had received strong appeal and support. The church had also supported the senior aspect of the development. Many in the congregation were seniors.

Ms. Kang advised that the property would be home to senior citizens aged 55 years and older, with units set aside for those with disabilities and those who may be at risk. The developer would be partnering with Self Help for the Elderly, which served approximately 25,000 seniors within the Bay Area, and which would bring many services such as open senior centers, classrooms and life enrichment programs. Additionally, the developer intended to pursue partnerships with various groups such as Los Medanos College to provide additional social service programs. There were plans to build a senior technology class and open some of the programs to the greater senior population.

Ms. Kang explained that the property would have a Case Manager who would be on staff with Self Help for the Elderly in order to assess senior needs and the programs that were desired. All of the senior units would be 100 percent affordable and seniors on fixed incomes would be able to enjoy steady low rents. The maximum income limit would be 60 percent of area median income (AMI), with the majority of the units anticipated to be occupied by seniors with an income at 20 and 50 percent of AMI. She noted that recreational amenities would be included in the project, as well, and would include a bocce ball court, picnic tables and a barbeque area.

In response to Commissioner Garcia, Ms. Kang stated that she had read the conditions of approval and could work with them. She agreed to work with the RDA to execute all conditions.

Commissioner Ohlson commented that he liked the project. He affirmed that all of the units would be fire sprinklered in accordance Type 5 building requirements. He added that he also liked the fact that many healthy trees on the property would be preserved. He clarified that Dial-a-Ride services operated by the County would be provided for the residents of the project.

Vice Chair Diokno also liked the fact that the existing palm trees on the property would be preserved. As to the use of solar panels on the top of the parking spaces, he asked what percentage of the power used on-site would be supplied by the solar panels.
Ms. Kang advised that the intent was for the solar panels to reduce or zero-out the power supplied to the house meters as well as all of the common areas, including lights and elevators.

Vice Chair Diokno noted that the majority of the panels would be on the north side of the building and in the shade. He asked whether or not that had been taken into consideration given the limited sun exposure on that side of the building.

Ms. Kang explained that the placement of the solar panels had been determined by the project engineers.

Vice Chair Diokno suggested that there was room on the site plan for parking of the motorized chairs or scooters that were frequently used by the elderly. He asked for consideration of some outside covered space to accommodate the motorized chairs or scooters.

A.J. FARDELLA, Oak Hills Community Group, 209 Havenwood Circle, Pittsburg, supported the development and the inventive implementation of the solar panels to serve the electrical needs of the building. However, having been involved in alternative energy efforts, he suggested that anything other than a southern exposure would be problematic. He also commented on the ongoing need for senior housing in the community and was pleased that the project would serve that need. He asked whether or not all of the financing was in place for the project.

Ms. Kang clarified that they could apply for financing once the entitlements were in order.

Commissioner Garcia suggested that the inclusion of tandem parking stalls in the parking lot would be a mistake unless one unit would be allowed two vehicles. He concurred with the staff recommendation that the area proposed for tandem spaces would be better utilized with the bocce ball court and the barbeque area, to which Ms. Kang agreed and noted that the design intended to meet various goals and parking requirements. She explained that on the site plan, the placement of the tandem stalls in bocce ball court location had been shown as a potential area for additional parking.

OPPONENTS: None

PUBLIC HEARING CLOSED

Commissioner Ohlson liked the idea for a parking area for motorized scooters, although he wanted to see some electrical plug-in areas, as well, to allow such equipment to be charged. He added that with any future development, more parking spaces should include electrical outlets given the efforts in transportation for plug-in electrical vehicles.
Ms. Kang pointed out that the addition of electrical outlets in the parking area would involve operating expense issues. Part of the concern was that the units were all low income, and it would be difficult to take on the additional expense of generating power for personal vehicles. She commented that it might be possible to have a separate metering system where the tenants would be responsible for their own vehicle expenses, which could be something that could be researched. She also noted that there could be a concern with private versus public development in terms of fair housing requirements and in terms of the regulatory agency requirements with which the developer would have to conform. All units would be individually metered for utilities with the exception of water and garbage costs, which would be borne by the landlord.

Commissioner Garcia commented that based on his experience, motorized scooters were normally placed inside a residential unit. He affirmed with Ms. Kang that all of the doors inside the units would be 36 inches in width. Based on that information, he did not see a need to find a location on the site for the parking of such vehicles other than the potential use of golf carts, as an example.

Ms. Kang added, when asked, that all units would be Americans with Disabilities Act (ADA) adaptable or fully ADA accessible.

Commissioner Garcia made a motion to approve the project as proposed.

Commissioner Ohlson seconded the motion, although he referred to Section 3. Decision, Design Review Conditions, Condition 9 of Resolution No. 9769, and asked that the condition be amended to reflect that lighting would come on as needed.

Ms. Hoggatt explained that the condition could be amended to clarify that lighting would be timed to come on after sunset. The intent of the condition was that it was understood that lighting would come on at night as needed.

Commissioner Ohlson asked staff to modify the language in Condition 9 to reflect that the lighting shall be maintained and kept on after dark.

Commissioner Ohlson also spoke to Section 3. Decision, Design Review Conditions, Condition 11 of Resolution No. 9769, and asked that the condition be modified to reflect that the permeable wrought iron should be substantial enough to resist bending, if someone were to climb over it, as an example. He did not want to see a material that could be easily manipulated.

Commissioner Garcia amended his motion to amend the conditions as referenced by Commissioner Ohlson. Commissioner Ohlson seconded the amended motion.
MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9769, granting design review approval to construct an 81-unit senior apartment complex at 925 Cumberland Street/295 East Tenth Street, “Los Medanos Senior Apartments. AP-08-544 (DR),” APNs 085-196-001 and 085-196-002, as conditioned and with modifications to Section 3. Decision, Design Review Conditions 9 and 11, language to be revised by staff, as discussed. The motion was seconded by Commissioner Ohlson and carried by the following vote:

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

ZONING ADMINISTRATOR REPORTS:

The Planning Commission acknowledged receipt of the following:

3. Notice of Intent to Exercise Delegated Design Review Authority:
   Bodega Well Pump Station. AP-08-555 (AD).

PLANNING DIRECTOR / STAFF COMMUNICATIONS:

Ramar Foods at 335 Central Avenue- Plan Revision

Assistant City Manager Matt Rodriguez reported that the Commission had been provided with a memorandum on Ramar Foods. He reported that a Temporary Certificate of Occupancy had been issued and that the applicant had agreed to five of eight conditions to bring the project into substantial conformance with the Commission design review approval, with the balance of the conditions to be considered by the Planning Commission at its September 23 meeting.

Commissioner Garcia thanked staff for allowing the applicant to move ahead to fill his freezer, getting the project going and resolving most of the issues.

Mr. Rodriguez took this opportunity to thank Assistant Planner Ali Endress and Senior Planner Hoggatt for their assistance in working with the applicant to bring the project into substantial conformance with the project conditions of approval.

COMMITTEE REPORTS:

Commissioner Ohlson reported that the TRANSPLAN Committee would meet on Thursday, September 11.
PLANNING COMMISSIONERS COMMENTS:

Commissioner Harris announced his resignation from the Planning Commission after 13 years of service, as of this date, for personal reasons. He otherwise reported that he had taken photographs of both the Super Taco and KFC restaurants located on Railroad Avenue, which he presented to the Commission and staff. While Super Taco closed at a certain time in the evening, he stated that KFC remained open 24 hours a day. After the recent Seafood Festival, there had been a situation where patrons of KFC had used the seats and tables in front of the Super Taco restaurant building and had thrown their trash onto the Super Taco property.

While the Police Department had been notified of the situation, Commissioner Harris expressed concern that the Super Taco business operator had to clean the debris from the KFC patrons on his property. He recommended that the City look into possibly requiring KFC to reduce its hours of operation and not allow the business to remain open for a 24-hour period, or requiring KFC to close at the same time as Super Taco.

Vice Chair Diokno expressed his appreciation to Commissioner Harris for his assistance during his tenure on the Commission and for his service to the community.

Commissioner Ohlson thanked Commissioner Harris for his work on the Planning Commission and his service to the community.

Commissioner Garcia also thanked Commissioner Harris for his service to the City.

A.J. FARDELLA, Pittsburg, read into the record a letter, dated September 8, 2008, that he had presented to the Commission regarding the resignation of Commissioner Harris. He, too, thanked Commissioner Harris for his many years of service to the community.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:51 p.m. to a Regular Meeting scheduled on September 23, 2008, in the City Council Chamber at 65 Civic Avenue, Pittsburg, CA.

MARC S. GRISHAM, AICP, Secretary
Pittsburg Planning Commission

Planning Commission Minutes
September 9, 2008