A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ohlson at 7:01 P.M. on Tuesday, November 27, 2007 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

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

Excused: Commissioners Diokno, Wegerbauer

Absent: None

Staff: Associate Planner Dana Hoggatt, Assistant Planner Ali Endress, Assistant Planner Doug Brooks, Senior Civil Engineer Ron Nevels, and Senior Civil Engineer Alfredo Hurtado.

POSTING OF AGENDA:

The agenda was posted at City Hall on Wednesday, November 21, 2007.

PLEDGE OF ALLEGIANCE:

Commissioner Kelley 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:

Capital Improvement Project Update – Ron Nevels/Engineering Department – Projects Currently Being Designed or Under Construction

Senior Civil Engineer Ron Nevels presented the Five-Year Capital Improvement Program (CIP) for projects currently under design or under construction and held a question and answer session with the Planning Commission.

CONSENT:

a. Minutes – November 13, 2007

Commissioner Garcia requested that correspondence Commissioner Harris had submitted to staff be identified in the minutes of the November 13, 2007 meeting.

MOTION:

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

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

PUBLIC HEARING:

Item 1: City Center Pharmacy. AP-07-484 (UP)

An application by Saifuden Rainwala requesting the approval of a use permit to operate a pharmacy in a 1,174 square foot tenant space in the Pittsburg Medical Center building. The subject site is located at 1270 East Leland Road, Suite 102, in the Office Commercial (CO) District. APN 088-161-013.

Assistant Planner Ali Endress presented the staff report dated November 27, 2007. She recommended that the Planning Commission adopt Resolution No. 9740 approving AP-07-484 (UP), as conditioned.

Commissioner Ramirez clarified with staff that Section 3. Decision, Condition 7, as it related to the requirement for compliance with City Council Ordinance 05-1273, stipulated that the project would be required to comply with the ordinance which followed Federal law prohibiting the sale of medical marijuana.
PUBLIC HEARING OPENED

PROPONEENT:

SAIFUDEN RAINWALA, 595 Ganelli Street, Tracy, explained that he and his business partner, both graduates of the University of the Pacific (UOP), desired to open an independent pharmacy in Pittsburg to meet the needs of the community. The independent pharmacy would provide a number of services not typically provided by chain pharmacies including an effort to get to know patients one-on-one, health reports, one-on-one consultations, and with the possibility in the future of delivering prescriptions to those without transportation. He suggested that the senior residence located at Leland Road and Harbor Street would benefit from their services.

STEVE VOSS, Antioch, identified himself as Mr. Rainwala’s business partner. He advised that he had specialized in geriatric pharmacy and consultations for the past eight years. The pharmacy would include a consultation room to provide disease state management and drug utilization reviews. He referenced his past experience with chart reviews, visits to different hospitals in the country where he had reviewed charts, drug utilization reviews and lab values. The pharmacy would not only dispense medication in a timely fashion but would also provide the expertise to provide consultations when needed.

Mr. Rainwala affirmed, when asked by Commissioner Garcia, that he had read and was in agreement with the staff recommended conditions of approval. He emphasized that the pharmacy would not sell medical marijuana.

Commissioner Ramirez understood that the entrance/exit to the site was one and the same and that signage might be warranted in the future but was not before the Commission at this time. He suggested that the site was a good location for the pharmacy. He otherwise inquired of the background for the name of the business.

Mr. Rainwala explained that typically every city had a pharmacy and a city center, leading them to the name of City Center Pharmacy. He added that the name was easy to remember, particularly if there was an opportunity to expand to other communities in the future.

Chairperson Ohlson clarified with staff that there would be racks for six bicycles at the Pittsburg Medical Center facility.

A.J. FARDELLA, Pittsburg, Oak Hills Community Group, was pleased with a proposal for an independent pharmacy in the City. He suggested the project was a good one and he urged its approval.

OPPONENTS: None

PUBLIC HEARING CLOSED
MOTION:  AP-07-484 (UP)

Motion by Commissioner Kelley to adopt Resolution No. 9740, approving AP 07-484 (UP), a Use Permit to allow a Retail Pharmacy to operate in a 1,174 square foot tenant space at 1270 East Leland Road, Suite 102, “City Center Pharmacy.  AP-07-484 (UP), “ as conditioned. The motion was seconded by Commissioner Garcia and carried by the following vote:

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

Item 2: Delta Auto Care Sign.  AP-07-487 (SE)

An application by Bruce Chappell of Delta Auto Care, requesting a sign exception to locate a freestanding sign adjacent to the applicant’s property at 2220 Railroad Avenue, within the public right-of-way. The subject property is zoned CC (Community Commercial) District. APN 087-042-019.

Assistant Planner Doug Brooks presented the staff report dated November 27, 2007. He recommended that the Planning Commission adopt Resolution No. 9741 approving AP-07-487 (SE), as conditioned.

Commissioner Ramirez clarified with staff that the sign could be a maximum height of 12 feet, one foot for every 10 feet of frontage, although the applicant was proposing a sign at 5 feet 4 inches in height.

PROPRONENT:

BRUCE CHAPPELL, 71 Belinda Drive, Pleasant Hill, for Delta Auto Care at 2220 Railroad Avenue, explained that a sign was needed to better identify his business since many of his customers had indicated to him that the face of the business was not visible.

Commissioner Ramirez was glad that a permanent sign would be installed to better identify the site.

In response to Commissioner Garcia, Mr. Chappell stated his agreement with the staff recommended conditions of approval.

OPPONENTS:  None
MOTION: AP-07-487 (SE)

Motion by Commissioner Ramirez to adopt Resolution No. 9741, approving AP-07-487 (SE), a Sign Exception to locate a freestanding sign within the public right-of-way for “Delta Auto Care Sign Exception, AP-07-487 (SE),” as conditioned. The motion was seconded by Commissioner Garcia and carried by the following vote:

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

STAFF COMMUNICATIONS:

Associate Planner Dana Hoggatt reported that the Zoning Administrator had held a public hearing on Monday, November 26 to consider a fence height exception for the Red Door Lounge in the former Snooker Pete’s building. The business owner had installed a fence in excess of the maximum allowable fence height per the zoning code. The Zoning Administrator denied the fence height exception. The applicant had been informed of the process to appeal the Zoning Administrator’s decision.

Commissioner Garcia asked that the matter be brought to the Planning Commission for consideration rather than force the applicant to file and pay the fees for an appeal.

Ms. Hoggatt clarified that the Commission would like to consider the request for an exception to the maximum allowable fence height for the Red Door Lounge.

By consensus, the Planning Commission requested that an exception to the allowable fence height for the Red Door Lounge be agendized for Commission consideration.

Commissioner Garcia also asked that staff inform the applicant that an appeal would not have to be filed since the item would be brought to the Planning Commission for consideration.

Ms. Hoggatt otherwise reported that Delta Energy Center had issued an invitation to an upcoming event on Wednesday, December 5, 2007. Commissioners were encouraged to R.S.V.P. to Planning Department staff.

Ms. Hoggatt further reported that a presentation was anticipated to be made by U.C. Berkeley students to both the City Council and the Planning Commission on the outcome of the Railroad Avenue Corridor Design Charette. Staff would announce the presentation date when scheduled.
COMMITTEE REPORTS:

There were no committee reports.

COMMENTS FROM COMMISSIONERS:

There were no comments from Commissioners.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:58 P.M. to a regularly scheduled meeting on December 11, 2007, in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission