A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ohlson at 7:00 P.M. on Tuesday, September 25, 2007 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Garcia, Harris, Kelley, Ramirez, Wegerbauer, Chairperson Ohlson  
(Commissioner Kelley arrived after Roll Call)

Absent: None

Staff: Planning Director Melissa Ayres, Assistant Planner Kristi Vahl, Assistant Planner Jason Burke, and Senior Civil Engineer Alfredo Hurtado.

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, September 21, 2007.

PLEDGE OF ALLEGIANCE:

Pete Carpino led the Pledge of Allegiance.

DELETIONS/withdrawals/CONTINUANCES:

There were no deletions, withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

PETE CARPINO, 151 El Camino Drive, Pittsburg, explained that he had appeared before the Planning Commission three years ago when the Mehran Restaurant had been proposed near a residential development. The neighbors had opposed the restaurant at that time.
Mr. Carpino commented that the immediate neighbors had also opposed a later request for a use permit for live entertainment for the restaurant although the City Council had ultimately approved that request. The use permit for live entertainment had carried conditions of approval, many of which had yet to be fulfilled. While he understood that the City Council was to address that issue at its next meeting, he emphasized that decision was to have been made by the City Council a year ago based on an agreement between the business proprietor and the immediate neighbors.

Mr. Carpino understood that the City Council could refer the matter back to the Planning Commission to consider evoking the use permit. In the future, he asked the Commission to consider prohibiting restaurant uses so close to residential neighborhoods. He also asked the Commission to be careful in the future when considering requests for live entertainment.

PRESENTATIONS: None

CONSENT:

a. Minutes - September 11, 2007

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, Wegerbauer, Ohlson
Noes: None
Abstain: Commissioner Ramirez
Absent: None

PUBLIC HEARINGS:

Item 1: United Spiral Pipe LLC Minor Subdivision. AP-07-445 (MS 676-07)

An application by United Spiral Pipe LLC requesting approval of a parcel map to subdivide a 64-acre parcel and an 8.6-acre portion of another parcel into three separate parcels, including one 5-acre parcel, one 44.8-acre parcel and one 22.8-acre parcel located at 900 East Third Street in the IG (General Industrial) District; APNs 073-030-015 and 073-210-031.

Assistant Planner Jason Burke presented the staff report dated September 25, 2007. He recommended that the Planning Commission adopt Resolution No. 9731 approving AP-07-445 (MS 676-07), as conditioned.
Chairperson Ohlson referenced the project description as shown on Page 1 of 4 of the staff report and suggested that the reference to Sacramento Northern Railroad be revised to read the “former” Sacramento Northern Railroad.

Commissioner Garcia pointed out that the description was accurate in that the spur track along the Sacramento Northern Railroad remained in existence and was used for storage by Union Pacific.

Chairperson Ohlson also spoke to Page 2 of 4 of the staff report, under Project, 1), Parcel “A”, and clarified with staff that the parcel would connect to an existing easement along Columbia Street, which would then connect to an existing easement along Columbia Street, an easement on the subject parcel and connect back up to Third Street.

Commissioner Garcia provided some history to Columbia Street, which had been closed in the 1950’s. At that time, U.S. Steel had constructed Santa Fe Avenue from Columbia Street to Harbor Street in exchange for its closure.

PUBLIC HEARING OPENED

PROONENT:

ROD SIMPSON, United Spiral Pipe LLC, 900 Loveridge Road, Pittsburg, explained that United Spiral Pipe LLC was a newly formed joint venture company in the manufacture of spiral welded line pipe for the gas and oil transmission industry. The raw material for the welded pipe would consist of steel hot rolled coils, similar to what U.S.S. POSCO, the adjacent use, currently used.

The project would involve the construction of a 350,000 square foot manufacturing building to house all of the manufacturing equipment and a 12,000 square foot administrative office on the 44.8-acre parcel fronting East Third Street. The project would provide 165 manufacturing jobs.

In response to Commissioner Garcia, Mr. Simpson acknowledged and accepted the staff recommended conditions of approval.

OPPONENTS: None

PUBLIC HEARING CLOSED

Commissioner Garcia welcomed the business and the job opportunities to the City.
MOTION: AP-07-445 (MS 676-07)

Motion by Commissioner Garcia to adopt Resolution No. 9731, approving Minor Subdivision Application No. AP-07-445 for a Tentative Parcel Map to subdivide a 64-acre parcel and an 8.6-acre portion of another parcel into one 44.8-acre Parcel (Parcel “A”), one 22.8-acre parcel (Parcel “B”) and one 5.0-acre parcel (Parcel “C”) located at 900 East Third Street (APNs 073-030-015 and a portion of 073-210-031; AP-07-445 (MS 676-07), as conditioned. 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

Item 2: Marina Plaza Commercial Center. AP-07-461 (DR/VAR)

An application by Art Pakpour of Palm Plaza Development, Inc., requesting design review approval of architectural plans for a 22,861 square foot multi-tenant commercial building and approval of a variance for site development standards for a vacant lot on the east side of Marina Boulevard. The site is zoned CW (Waterfront Commercial) District. APN 085-071-040.

Assistant Planner Kristi Vahl presented the staff report dated September 25, 2007. She recommended that the Planning Commission adopt Resolution No. 9736 approving AP-07-461 (DR/VAR), as conditioned.

Ms. Vahl also presented the Commission with a staff memorandum dated September 25, 2007 identifying a change to Condition No. 15 of Resolution No. 9736, to read:

15. A parcel shall be created around the Marina Commercial Building. This creation of the parcel shall be in accordance with the provisions in Article 5 of the Subdivision Map Act, and Chapter 17 of the City of Pittsburg Municipal Code and to the satisfaction of the City Engineer prior to the issuance of an engineering permit.

Chairperson Ohlson questioned whether or not the first floor of the building would be sufficiently high that it would not be impacted by any rise in sea level.

Ms. Vahl recommended that the Project Architect clarify that issue.
Chairperson Ohlson also commented that the plan had included no bicycle parking. He questioned why bicycle parking had not been provided.
Ms. Vahl clarified that bicycle parking had not been included with the project since the Marina Promenade had several areas where public bicycle racks had been provided.

PUBLIC HEARING OPENED

PROPOSENT:

JAMES MILLER, Project Architect, 600 Cumberland Street, Pittsburg, presented colored renderings to the Commission for review. He commented that the building was important for the City and for the developer who would be filling the lease spaces. The building would continue the energy of the newly built Railroad Avenue projects through the promenade and the focal point of the Marina. The building would include the Harbor Master’s Office, restroom facilities for berthers, their guests and the public. There would be one restaurant, possibly a second and a coffee shop facility on the first floor. The second floor would include the Harbor Master’s Offices, another retail space, and possibly a restaurant or spa. The third floor would be designated for office uses.

Mr. Miller added that the conditions of approval, including the one modification, had been reviewed and accepted by the applicant. He also clarified that the level of the first floor was 21 inches above the promenade elevation. The elevation above sea level was 8 feet and was therefore above flood level.

Commissioner Wegerbauer understood that the site would have four trash bins and some recycling bins. She suggested that the minimum amount of trash enclosures had been provided for the non-office uses. She requested assurance that there would be adequate trash capacity for the building, particularly with the possibility that two restaurants would occupy the site.

Mr. Miller explained that in discussions with staff, staff had recommended four of the proposed sized trash and recycle bins. Staff was of the opinion that the trash and recycle bins would be adequate.

Commissioner Wegerbauer also understood that the trash area had been located on the northwest side of the building providing the most efficient means for pick up without causing much disturbance on the site or the adjacent sites, however given that elevation was closest to the future Bed and Breakfast Inn, she suggested it made more sense for the bins to be placed away from the inn and its guests. She recommended a reevaluation of the potential trash generated by the uses at the site and a reevaluation of the location of the trash and recycle bins.

Mr. Miller commented that the size of the trash enclosure was flexible, although the location had been determined to avoid impacting the views of the building frontage. Also
the utilities were located at the front of the building taking up approximately half of the front of the building.
While the trash enclosure had initially been proposed at the entrance from Marina Boulevard, desirous to create an entrance from Marina Boulevard into the building, and not being able to relocate the utilities, only the southwestern corner of the building had been left for that purpose.

In discussion with staff, Mr. Miller explained that although the trash enclosures were located on the inn side and there were no other options available, the proposed site offered the least impact from a visual standpoint. While the trash enclosure would be in front of the proposed inn, it would not be adjacent to guest rooms. The service room for the inn would be adjacent to that location with an elevator core on the corner. He suggested that any impacts to the inn would be minimal.

Commissioner Wegerbauer suggested that if the trash area was at its best location then the transition of the trash and recycle bins should be as smooth as possible and the surface finish also as smooth as possible when the bins were placed out for pick up. She also suggested that there be a way to coordinate a location for the retailers to carry their garbage out to another location.

Mr. Miller was open to a trash enclosure elsewhere on the site although he emphasized the difficulty in that case due to the Marina Master Plan layout. He stated that definite direction would be needed. He suggested that an interior enclosure would also offer a good solution in that he had good experience with the Elks Lodge having an interior trash enclosure where the only evidence would be when the trucks arrived for pick-up.

Commissioner Wegerbauer recommended that the trash and recycling bins be placed in the interior with a path out and away from the inn.

Mr. Miller commented that the stair area at the northwest of the site as shown on Plan A, Sheet 2.1, could have been used for the wheel out of garbage although the disposal company desired direct access out. He suggested it could occur either way given the concrete surfaces and the roll up doors.

Commissioner Wegerbauer also requested clarification as to how the design criteria for parking for the building would be met.

Ms. Vahl identified a curved area as shown on Sheet A, 1.2, which would provide enough area to offload and still allow vehicles to come and go. The drop off area also would become a bit wider near the promenade circle.

Commissioner Wegerbauer further commented that the restaurant uses would likely want valet parking, particularly if the uses were successful. She questioned whether or not there had been any consideration as to how the drop off area would work with valet parking.
Mr. Miller explained that one of the options to incorporate valet parking could be in concert with the Marina Plan where the parking would be diagonal along Marina Boulevard as shown on Plan A, Sheet 1.2. Such activity could occur with a pull out area if acceptable to the City.

Commissioner Diokno referenced the terrace area facing the river in front of the restaurant. He inquired whether or not there would be a barrier between the terrace and the planting area.

Mr. Miller advised that the area was 21 inches above the promenade level with planting in front of the terrace and with a curve of approximately four inches around the terrace for disability access. No guard rail was required by building code unless the area was over 30 inches. Absent a guard rail, that area would provide unobstructed views of the river to the diners. He added that the floor level had been raised high enough to allow those sitting on the terrace to have views over the breakwater and the entrance into the Marina.

Commissioner Diokno suggested that a see through barrier could be created to ensure safety for the patrons and to ensure that the City was not liable for any potential lawsuits in the event of any hazards in that area.

Mr. Miller stated that he would prefer not to have to provide a barrier to be able to provide unobstructed views. He reiterated that the lack of a barrier was within the building code requirements. He otherwise agreed, when asked, that he was in agreement with the staff recommended conditions, as amended.

DENNIS LINSLEY, 1063 Westmont Court, Pittsburg, a Trustee for Elks Lodge, commented that part of the Elks Lodge approval from the City had included analysis of availability of the parking area across the road at the Marina to provide overflow parking for the Lodge. He expressed his hope that would still be considered and that there would be adequate parking in the area, particularly when there were large affairs at the Lodge. He acknowledged that Mr. Miller had done a great job with the Lodge design and he was confident the same would be done for the subject project.

Commissioner Garcia advised that additional parking would also be provided along Marina Boulevard as part of the Marina Master Plan.

JUNE FORSYTH, Pittsburg, expressed concern with the potential acoustics and noise from the project site. She spoke to some of the noise impacts from the boat cruises in the area which had impacted the residents living along the waterfront. She also expressed concern that the building was originally to consist of only two stories but was now a three-story building impacting the public’s view of the water. She opposed three stories and recommended that the building be stepped back.
In response to Commissioner Harris, Ms. Ayres explained that the General Plan and Zoning Ordinance did not require private parking lots for commercial buildings in the commercial core. The City had prepared a parking study which had shown adequate surface parking for the commercial buildings that existed in the downtown, with no shortage in the area at this time. She stated that the parking would be monitored as additional buildings were constructed, and the timing for building parking structures to support the commercial environment would be determined at that time. She added that there were not surface parking lots adjacent to all of the properties in most successful downtowns since that would destroy the rhythm of pedestrian activity.

Ms. Ayres also added that the area of Cumberland Street had some on street parking and there were City parking lots in that area as well.

Commissioner Kelley left the meeting at 7:50 P.M. due to an emergency.

Mr. Miller further commented on the massing of the building which had included a lot of definition, positive and negative spaces, shadow lines and depth. He stated that the two buildings had been grouped on lots; one at 7,000 square feet and the other at 8,000 square feet.

In response to the concerns with respect to potential noise impacts, Ms. Ayres advised that the City did have a Noise Ordinance, although the Zoning Ordinance did not regulate the hours of operation of a restaurant. Any nuisance or noise disturbances would be addressed with calls to the Police Department. She noted that restaurants typically did not create noise problems other than those which had added live entertainment. Live entertainment would require a use permit. She acknowledged that the Elks Lodge had a use permit for live entertainment and that its building design had included additional insulation to address potential noise issues.

Commissioner Wegerbauer commented that having experience with downtown retail developments, it was her perception that cities wanted a parking problem. Since the City owns all the surface parking lots in the surrounding area, the City is in the position to provide multi-level parking when the need arises. She understood that studies had found that people preferred surface parking and must be educated when the time comes regarding urban strategies.

As to the possibility of valet parking, Commissioner Wegerbauer suggested there was an opportunity to create a Business Improvement District, as an example, where all of the business owners could participate in a valet parking plan.

OPPONENTS: None

PUBLIC HEARING CLOSED
Commissioner Diokno supported an additional condition that a barrier for the terrace area for the restaurant be provided consisting of either wrought iron or glass. He envisioned the barrier as something in the nature of two feet tall or something where people would not slip off of the edge into the landscaping below.

Commissioner Wegerbauer also asked that a condition be included regarding the path of travel for the dumpsters taking into consideration wear and tear and potential noise impacts to the adjacent inn, some thought given to a valet parking plan, and identification to the area and path of travel for the patrons of the different uses.

Chairperson Ohlson commented that he would like to see a parking problem in the downtown with possibly four or more successful restaurants in the area, with many pedestrians.

**MOTION: AP-07-461 (DR/VAR)**

Motion by Commissioner Garcia to adopt Resolution No. 9736, approving AP-07-461 (DR), Design Review approval for a 22,861 square foot multi-tenant commercial building and AP-07-461 (VAR), a Variance for side setbacks, maximum FAR, and maximum lot coverage for a future parcel on the east side of Marina Boulevard, APN 085-071-040, with the conditions as shown, with the amendment to Condition 15 as identified by staff, and subject to the following additional conditions:

- An appropriate barrier to be provided for the terrace area;
- The location and potential noise impacts from the trash and recycle bin enclosures to be further evaluated; and
- The City to study a possible valet parking area.

The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

Noes: None

Abstain: None

Absent: Commissioner Kelley

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**Item 3: Zoning Text Amendment to Prohibit Parking in Residential Districts on Unpaved Surfaces**

A City-initiated proposal to amend Title 18 of the Pittsburg Municipal Code to require that vehicles in the front or corner side yard of residential lots be prohibited from parking on unpaved surfaces. This is a City-wide zoning amendment.
Assistant Planner Kristi Vahl presented the staff report dated September 25, 2007.

Ms. Vahl recommended that the Planning Commission adopt Resolution No. 9733, approving the Zoning Text Amendments to prohibit parking in the residential districts on unpaved surfaces.

Commissioner Harris referenced an area south of Harbor Street just prior to California Avenue where a planting strip area was being used for the parking of vehicles. He stated that there was no off-street parking available in that area. He questioned how the Zoning Code Amendment would impact that practice.

Ms. Vahl explained that with the amendment, those parking in that area would be cited. She noted the likelihood that there would be a grace period where warnings for the first 30 days or so would be issued. After that time, those parking on the front lawn or landscaping area in residential lots would be ticketed. The zoning code would allow anyone to add onto his/her driveway and be permitted to pave up to half of the width of the front yard for parking purposes.

Commissioner Harris noted that many people living on streets in the Central Addition, such as Maple and Redwood Streets, had removed the front lawns and installed paved driveways to the rear. He questioned how the new regulations would impact those properties.

Ms. Vahl reiterated that no more than half of the front yard area was permitted to be paved. Such a situation could be in violation of the new zoning code, which was intended to provide consistency with Title 10, the section utilized by code enforcement.

Commissioner Harris inquired whether or not anyone from staff had toured the City prior to proposing an amendment to the ordinance.

Ms. Vahl advised that code enforcement was aware of the issues and had initiated the Zoning Code Amendment as a result of numerous complaints received from property owners related to parking on front lawns.

Commissioner Wegerbauer clarified with staff that the section referring to the limitation of parking of motor homes already existed in the current ordinance but had been revised and separated into two paragraphs with some slight language changes.

Ms. Ayres added that there were recreational vehicle storage yards in the community where such vehicles could be stored.

Commissioner Garcia expressed concern that people could cement in an entire front yard if
not allowed to park on the front lawn. He recommended that the ordinance clarify that the entire front yard could not be paved. Commissioner Garcia also recommended that the residents of the City be informed of that 50 percent front lot coverage limitation.

Ms. Ayres explained that residents could be notified of the Zoning Code Amendment in the City's newsletter. She also noted that the proposed regulations in PMC Section 18.78.050 (A) (5) on page 3 of staff report limited paved parking surfaces to ½ of lot frontage.

Commissioner Harris commented that many of the homes in Pittsburg were older and smaller and many had circular concrete driveways where vehicles were parked.

Ms. Vahl reiterated that as long as the paved surface was not more than 50 percent of the lot frontage anyone could park as many vehicles as desired on that paved surface in front of a residence.

In response to Commissioner Ramirez as to whether or not a building permit was required for a cement slab in front of a home, Senior Civil Engineer Alfredo Hurtado advised that an encroachment permit regulated by the Grading Ordinance would be required.

PUBLIC HEARING OPENED

PROPONENT: City of Pittsburg

INTERESTED SPEAKER:

JUNE FORSTYH, a resident of Seapoint Way, Pittsburg, commented that during the latest Bay Harbor Park Homeowner’s Association (HOA) meeting, there had been complaints that many residents could not use his/her garages for parking since they were full of stored items. As a result, residents had been parking vehicles on the front lawns. She was pleased to see that the ordinance would be in place and she affirmed with staff that the zoning code would apply to all residential properties.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: Zoning Text Amendment

Motion by Commissioner Wegerbauer to adopt Resolution No. 9733, recommending that the City Council adopt an Ordinance to Amend Title 18 of the Pittsburg Municipal Code to add a definition for “paved” and require that vehicles in the front or corner side yard of residential lots be prohibited from parking on unpaved surfaces. The motion was
seconded by Commissioner Harris and carried by the following vote:

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

COMMISSION CONSIDERATION:

Item 4: Carion Court Commerce Center. AP-07-450 (DR)
An application by Louis Parsons of Discovery Builders, requesting design review approval of architectural and site improvements for a 55,637 square foot light industrial office and warehouse building on a 4.41-acre parcel located on the west side of Carion Court, in the Loveridge Commercial Center. The site is zoned CS-O (Service Commercial with an Overlay No. 1193) District. APN 073-190-033.

Assistant Planner Kristi Vahl presented the staff report dated September 25, 2007. She recommended that the Planning Commission adopt Resolution No. 9735 approving AP-07-450 (DR), as conditioned.

Ms. Vahl also presented the Planning Commission with a staff memorandum dated September 25 including correspondence from the applicant dated September 21, 2007, identifying changes the applicant requested to Resolution No. 9735, Conditions 3, 5, 6, 10 and 39. Staff was in support of all of the proposed changes with the exception of Condition 6, which staff preferred to see remain as written.

PROONENT:

JACKIE SEENO, Discovery Builders, Inc., 4061 Port Chicago Highway, Suite H, Concord, stated that the developer had worked with City staff on the proposal for the last parcel to be developed as part of the Loveridge Center, for 56,637 square feet of office and warehouse space. She suggested that the project would be an asset to the community with a visible location off of the freeway and which would be easily accessible.

Ms. Seeno advised that the applicant was in agreement with the staff recommended conditions of approval, with the exception of the developer’s recommended revisions to Conditions 3, 5, 6, 10 and 39.

PETER STACKPOLE, Principle, Loving and Campos Architects, described the L-shaped building with access at the rear for service to the individual spaces. The public entry would
be located at the front which was primarily open space that could be subdivided into individual tenants in the future. An optional second story space for tenants was identified with parking in the front. The building would be set back towards the rear of the site with access off of Carion Court.

Mr. Stackpole presented colored elevations of the site and identified the color palette. He commented that in order to address the length of the building and provide some variety and variation in scale, massing and colors, a warm color palette had been proposed with an alternating scale.

Mr. Stackpole explained that the architectural treatments at the interior corners had been changed to bookend each of the walls and provide additional variety. The rear of the site was the working side of the project and was not exposed to the street. Two signs had been proposed to be in the same architectural character of the building.

Commissioner Diokno spoke to the east side of the site and identified with the architect an existing driveway around 50 feet wide, the property line and a concrete swale down the middle of the drive.

Commissioner Wegerbauer inquired of the anticipated uses for the site and questioned the adequacy of the trash enclosures to serve the project site.

Mr. Stackpole identified three locations for trash enclosures which would be sized for the use.

Chairperson Ohlson requested three groupings of bicycle parking in the front of the building, one three-rack grouping on each end and one four-rack grouping down near the crook, totaling racks for 10 bicycles to be consistent with the wave bicycle design.

Mr. Stackpole suggested that could be done.

DOUG MESSNER, Vice President, Sierra Pacific Properties, 3890 Railroad Avenue, Pittsburg, explained that the project had been designed to accommodate different types of uses and to be flexible, with possibly up to 40 percent office build out or greater than that for the smaller buildings. The users anticipated would be smaller users, possibly a flooring business, a contractor with storage and office, a retail use such as flooring or tile or possibly a small deli. He did not see that the site would be suitable for a restaurant or retail use.

Commissioner Wegerbauer requested assurance that adequate trash enclosures would be provided. She questioned whether or not there was space for a trash compactor, as an example.

Mr. Messner did not envision that a trash compactor would be needed for such a business park. He noted that they had separated out the garbage locations to allow for easier
access. There would be a common trash service.

Commissioner Wegerbauer questioned whether or not it would be possible that one of the storefronts could end up serving two units that could be divided, which Mr. Messner acknowledged could be done. He clarified that if one tenant had more than one storefront there would be entitlement for only one sign.

As to staff recommended Condition 6, Mr. Messner explained that he saw the need to wrap the cornice around the corner from public areas that could be visible to the public. Since the rear was not visible to the public and was where the truck drivers would be traveling to the site, he saw no reason to carry the cornice detail around the entire building to the north and east elevations.

LOUIS PARSONS, Vice President of Forward Planning, Discovery Builders, clarified that as staff had recommended there would be two monument signs. Bioswales consistent with C-3 Stormwater Guidelines would also be installed. As a result, the sign proposed for Carion Court would not bisect the frontage bioswale and would be placed at the northern entrance on Carion Court. He too disagreed with the staff recommendation for Condition 6 and asked for consideration of the developer’s recommended revision.

OPPONENTS: None

Commissioner Diokno found the building to be attractive. He commended the planners for the planting of trees and expressed his hope that would be taken into consideration when planning other projects.

Commissioner Garcia commented that he had viewed the property. He recommended that the cornice detail be brought around the corner a short ways along the east and north sides of the building as the applicant had proposed in the recommended revision to Condition 6.

Commissioner Garcia made a motion to adopt Resolution No. 9735, as conditioned, with modification to Conditions 3, 5, 6, 10 and 39 as reflected in the correspondence from the developer dated September 21, 2007. He also recommended an additional condition that racks for the required for ten bicycle be divided with three bicycle racks located on the west end, three on the south end and four at the crux of the building at the “L.”

Commissioner Diokno seconded the motion.

Ms. Ayres clarified for the record, with respect to the developer’s recommended revision to Condition 3, that the Municipal Code required the rooftop mechanical equipment to be screened from public view and that when staff conducted a final inspection it would be confirming if the proposal screen did screen the mechanical equipment or whether
additional screening would be required. Her concern wasn’t just views from the property, but also from public streets including Carion Ct. and Pittsburg/Antioch Highway.

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9735, approving AP-07-450 (DR), Design Review approval for the construction of a 56,637 square foot light industrial and warehouse building, AP-07-450 (SR), a Master Sign Program and approval of a sign exception for two 8 foot by 2 inch tall master identification signs, located on the east side of Carion Court. APN 073-190-033, AP-07-450 (DR/SR), as conditioned, and subject to the developer’s recommended revisions to Conditions 3, 5, 6, 10 and 39 as reflected in correspondence dated September 21, 2007. The motion was seconded by Commissioner Diokno and carried by the following vote:

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

STAFF COMMUNICATIONS:

Ms. Ayres reported that the Zoning Administrator had met on Monday, September 24 to consider a fence height request for an existing illegal fence at 301 Central Avenue. The request had been denied and the property owner had been given 60 days to remove the fence. The Zoning Administrator had also approved a request for a large family day care center located at 1319 Steinbeck Drive in the Americana Subdivision. No members of the public had expressed concern with the proposal other than a letter received expressing concerns with potential noise from the children. The day care use had been conditioned that no more than seven children would be allowed in the rear yard at any one time.

Ms. Ayres also reported that she would be attending a Global Warming Conference this week in Santa Monica. She also added that the City Council had recently adopted new standard details including an official detail for bicycle racks in the wave design. Conditions of approval would now be written to follow that standard detail.

COMMITTEE REPORTS:

Chairperson Ohlson reported that the TRANSPLAN Committee had met and had received information on the new East County Action Plan. He advised that Commissioner Garcia had asked that he no longer serve as the Primary for the TRANSPLAN Committee.

As the Alternate, Chairperson Ohlson stated that he would now serve as the Primary
appointee to the TRANSPLAN Committee. Any Commissioner interested in serving as the Alternate was asked to contact the Chair via e-mail.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Wegerbauer stated that if Commissioner Kelley did not wish to serve as the Alternate to the TRANSPLAN Committee, she might be able to serve in that capacity. She otherwise inquired of the status of the Citywide Sign Program.

Ms. Ayres reported that the Citywide Sign Program should be finalized in April and would include additional workshops and hearings with the Commission.

Commissioner Ramirez requested an amendment to the third paragraph of Page 16 generally, as follows:

Commissioner Ramirez apologized for missing the last two meetings of the Planning Commission which was unavoidable since he had been ill and had to have a pacemaker implanted and missed the August 28, 2007 meeting. He noted that the September 4, 2007 meeting had been missed because of vacation.

Commissioner Garcia reported that he would not be present for the October 9 Planning Commission meeting. In response to the comments raised by Mr. Carpino during the public comment portion of the agenda, he recommended that when the Commission considered the placement of a restaurant use in shopping centers near residential developments, those uses should be considered as permitted uses to allow an adequate review process.

Commissioner Harris reported that there continued to be problems with vehicles parking along Garcia Avenue which had obstructed passing traffic and which had affected sight distance along the roadway.

Commissioner Kelley rejoined the meeting at 8:59 P.M.

In response to Commissioner Harris’ inquiry as to the status of the potholes on Garcia Avenue, Mr. Hurtado explained that a request had been forwarded to the Public Works Department to address that concern. He also explained in response to the concerns raised regarding the prior Commission meeting regarding the street lights being out on Stoneman Avenue, that the lights had been off since February due to a burnt cable. That situation was under investigation by PG&E. It was expected that repairs would be made within the next month or so.

Chairperson Ohlson stated that he had neglected to identify grammatical changes he
would like to have made during the discussion of the Zoning Text Amendments to Prohibit Residential Parking in Residential Districts on Unpaved Surfaces, which corrections he would provide in writing to staff.

Chairperson Ohlson asked that the meeting adjourn In Memory of Pat Casey.

ADJOURNMENT

There being no further business, the meeting adjourned In Memory of Pat Casey at 9:02 P.M. to a regularly scheduled meeting on October 9, 2007, in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission