MINUTES

OF THE REGULAR MEETING
OF THE

PITTSBURG PLANNING COMMISSION

May 22, 2007

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Tumbaga at 7:00 P.M. on Tuesday, May 22, 2007 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Garcia, Harris, Ohlson, Ramirez, Thomas, Chairperson Tumbaga

Excused: None

Staff: Planning Director Melissa Ayres, Assistant Planner Ali Endress, Assistant Planner Kristi Vahl, Senior Civil Engineer Alfredo Hurtado

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, May 18, 2007.

PLEDGE OF ALLEGIANCE:

Commissioner Thomas 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:


MOTION:

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

Ayes: Commissioners Diokno, Garcia, Harris, Ohlson, Thomas, Tumbaga
Noes: None
Abstain: Commissioner Ramirez
Absent: None

PUBLIC HEARING:

Item 1: Pittsburg Leland Group. AP-07-417 (DR)

Application by Mason Miller on behalf of Pittsburg Leland Group LLC and Spear Design Associates requesting design review approval to construct a 10,299 square foot retail shopping center and related site improvements on two (2) vacant parcels totaling 2.06 acres located at 1190 East Leland Road in the CC (Community Commercial) District. APN 088-230-025-04.

Assistant Planner Ali Endress presented the staff report dated May 22, 2007. She recommended that the Planning Commission adopt Resolution No. 9716 approving AP-07-417 (DR), as conditioned.

Ms. Endress reported that the applicant had requested additional changes to the conditions of approval on May 21. Staff had reviewed the requests and had negotiated modifications to four of the proposed conditions of approval for the project. She referred to the memorandum dated May 22, 2007 where the modifications to Conditions 7, 12, 15 and 21 had been shown. Copies of the memorandum had been made available to the Commission and the audience. She believed that the Commission could make all required findings to approve the application with the conditions as shown and as modified.

Commissioner Ohlson asked for an explanation of CNEL referenced in Condition 3 of Resolution 9716. Staff advised that CNEL referred to Community Noise Equivalent Level. The proposed 8-foot tall masonry wall along the west and south sides of the property was intended to attenuate the CNEL to 60 dba.

Commissioner Ohlson also referred to Sheet A-2 of the plans and asked for an explanation of a demising wall.
Planning Director Melissa Ayres explained that demising walls were the non-structural walls separating out the individual tenant spaces.

Commissioner Thomas clarified that the applicant was aware of the additional conditions listed in the memorandum in that the applicant had been provided with a copy of those conditions.

PUBLIC HEARING OPENED

PROPOSER:

MASON MILLER, 123 Spear Street, Suite 250, San Francisco, who with Dan Shallot was the design team and applicant for the project, explained that the site was a good location for the proposed use. He stated that he had reviewed the conditions and agreed with the conditions of approval, as modified.

Commissioner Diokno verified that Mr. Miller was also the architect for the building to the west of the site, known as Phase II, and that the proposed building would be fully integrated with the other building.

Mr. Miller stated that once the first phase had been constructed with tenants designated for Parcel 2, they would pursue the entitlements for Phase II of the project. He stated that Phase II would be designed to blend nicely with what had been proposed for Phase I.

Commissioner Diokno requested that the applicant connect the two projects physically or in a visual sense to ensure that there was a clearly identified pedestrian path to allow pedestrians to safely cross between the two projects.

DAN SHALLOT, Spear Design Group, explained that Sheet A01 had shown such a connection. He added that a location had been chosen to allow a strong link between one storefront and another.

Commissioner Ohlson thanked the speakers for connecting the front door of the building with a pedestrian walkway out to the public street sidewalk, which Mr. Shallot explained was an Americans with Disabilities Act (ADA) requirement where all commercial developments needed to provide an acceptable route from the public accessway.

Chairperson Tumbaga commented that it appeared as if the only entrance to the project was eastbound, although Mr. Shallot stated that there was a left hand turn pocket at the edge of the property that served the residential complex to the west. As such, the property could be accessed via the existing curb cut through a reciprocal access driveway shown to the left hand side of the page on A1.
While no new left hand turn movements were being created from East Leland Road, Mr. Shallot stated that an existing left hand turn movement would be shared between the two properties, which would run into Parcel 2 by approximately eight feet. He added that it was important to establish the driveway on Parcel 2 as part of the first phase to design the traffic pattern for both phases of the project.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-07-417 (DR)

Motion by Commissioner Garcia to adopt Resolution No. 9716, approving AP-07-417 (DR), Design Review approval to construct a 10,299 square foot retail shopping center and related site improvements on two vacant parcels totaling 2.06 acres located at 1190 East Leland Road in the CC (Community Commercial) district, APN 088-230-025-04, with the conditions as shown and with the modifications to Conditions 7, 12, 15 and 21 based on the staff memorandum dated May 22, 2007. The motion was seconded by Commissioner Thomas and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Harris, Ohlson, Ramirez, Thomas, Tumbaga
Noes: None
Abstain: None
Absent: None

Chairperson Tumbaga advised that the applicant, the City Council, City Manager, or any affected person may appeal either the denial, approval or any condition of approval of an item within 10 calendar days of the decision.

Item 2: City-initiated Hillside Development Performance Standards/Guidelines

A City-initiated proposal to amend Title 18 (Zoning Ordinance) of the Pittsburg Municipal Code to establish new Hillside Development Performance Standards and amend the HPD (Hillside Planned) District regulations, and to adopt new Hillside Development Guidelines.

Assistant Planner Kristi Vahl presented the staff report dated May 22, 2007 and stated that a number of written comments had been received since the last public workshop, which comments had been presented to the Commission. She explained that the purpose of the hearing was to request final guidance to staff from the Commission on the key issues that had been raised as recurring concerns among members of the public.

Ms. Vahl identified those recurring concerns as overall maximum project density, density
within visually sensitive areas, density within clustered areas, density bonuses, ridge preservation/elevation below a ridgeline, and applicability below the 500 foot contour. Several options and an analysis of each of those concerns were provided to the Commission.

With respect to overall maximum density, the options were to keep the ordinance as written and allow the maximum 3 dwelling units per acre (du/ac) subject to analysis by the California Environmental Quality Act (CEQA), or to maintain a modified version of the existing slope density calculation as written in the existing HPD District, at which point it would need to be modified to allow no more than 3 units per acre density maximum.

Speaking to density in visually sensitive areas, Ms. Vahl identified options to allow no development within the visually sensitive areas, allow one unit per one net acre, change the allowable density to one unit per two net acres, or change the allowable density to one unit per five net acres.

To address density within clustered areas related to minimum lot sizes in clustered areas, Ms. Vahl identified the suggested options as keeping the density at 12 units per net acre with 3,000 square foot lots, change the density to 9 units per net acre with 4,000 square foot lots, or change the density to 7.25 units per net acre with 5,000 square foot lots.

Ms. Vahl spoke to the density bonus issue which had been broken down into two parts; one related to the amount of voluntary contribution required and the other related to the amount of land required for preservation and the bonus allowed in that case. A third option would remove the provisions entirely and would require a General Plan Amendment.

As to ridge preservation/elevation below a ridgeline, Ms. Vahl stated that related to changing the vertical setback that had been set in the current standard. With respect to applicability below the 500 foot contour, she stated that related to a reevaluation of the general plan itself.

Ms. Vahl requested that Commissioners identify their preferred options for each issue, or that alternative options be offered.

In response to Commissioner Ohlson as to that polling, Ms. Ayres stated that the Commission would be asked to narrow down the options to allow a CEQA evaluation of the option to be considered at the next public hearing.

Commissioner Thomas asked with respect to the options if the concerns expressed up to this time had been considered in those options, which Ms. Vahl affirmed had been done and the options were coming from the concerns that had been expressed by the public.

Commissioner Diokno asked if there was urgency to the ordinance, to which Ms. Ayres stated that if the Commission needed more time that would be fine.
Commissioner Ohlson referred to Page 7 of Attachment 4, “Pittsburg 2020 Selected Goals and Policies,” which had application on the Hillside Development regulations, and pointed out that General Plan Policy 7-P-52 of the Transportation chapter also had application requiring that “All arterial and collector streets newly built in the City get bike lanes.” He asked that Policy 7-P-52 be included on that list.

PUBLIC HEARING OPENED

INTERESTED SPEAKERS

MICHAEL SARABIA, Bay Point, commented that there would have to be trust from the public that the guidelines would address the concerns expressed. He commented that the hills offered a sense of welcome and he expressed his hope that the Commission would do whatever it took to protect and preserve the hills. He was concerned with the traffic that might be involved in the hills and the pollution that would be created as a result. He urged the Commission to find some way to ameliorate pollution in the hills by placing high density development in the downtown area which he suggested would address many other concerns of the community.

Speaking to the eBART proposal for Pittsburg, Mr. Sarabia suggested that the DMUs [diesel motorized units] proposed for eBART would cause unwanted pollution. He stated that the City should therefore insist on full classic BART.

KATHY GLEASON, Concord, representing the Concord Naval Weapons Station (CNWS) Neighborhood Alliance, took this opportunity to introduce the Alliance to the Commission. She stated that the Alliance had been formed by 800 families and growing, those living near the CNWS and in other parts of Concord, adjacent cities and some areas of Pittsburg. All were volunteers, all cared about their community and all were concerned about over development. She stated that the Alliance had been formed in February 2006 and had asked the City of Concord to take the CNWS out of the Concord General Plan to allow the Alliance to help determine what it preferred for the CNWS area.

Ms. Gleason emphasized the desire to save as much open space as possible. She supported a regional park on the CNWS adjacent to the hills. She stressed the importance of appropriate and proper planning, stated that the CNWS was a regional issue, and urged the Commission to protect the hills from over development. She stated that the City of Concord would be asked to do the same thing.

Ms. Gleason commented that the hills of Pittsburg were beautiful from City Hall. She asked the City to remember the hills.

DAVID CAMPOS, Pittsburg, submitted a card with comments but did not wish to speak.
“These guidelines should not be aimed at accommodating or assuming hillside development, but aimed at preserving our hills, views, open space. If development is too impractical - so be it. If expensive - so be it.”

LOUIS PARSONS, Concord, representing Discovery Builders, stated that the newest set of documents related to the Hillside Guidelines was voluminous and he had not had an opportunity to read all that information given that it had been received yesterday and there was new mapping information, new information related to density restrictions and clustered areas, density bonuses, ridge preservation guidelines and the applicability of the guidelines. He stated that Carl Campos had received the information this date and as such he suggested it was prudent to allow the public more time to consider the options and what they actually meant, and allow sufficient time to provide comment to the Commission and City staff to allow a more informed decision.

Noting that his firm had no opportunity to provide any input on the outlying options, Mr. Parsons requested that the public hearing remain open, that the firm and the public be allowed more time to comment on the options and that the item return to the Commission at its meeting scheduled for June 12, 2007, when more formal comment could be provided.

CARL CAMPOS, Loving and Campos Architects, Walnut Creek, stated that the document was well written and sophisticated, although it had new information that he had not had an opportunity to review. He referred to Exhibits A and C, the mathematics and complex information that had been included, along with the options to increase density and set a new 200 foot setback over and above the previously proposed 100 foot setback. He stated that the document was not meant to be precise and exact although the numbers he had referenced were precise and exact.

Mr. Campos referred to Page 9 of the document and a drawing in the guidelines that showed the vertical setback of 150 foot horizontal, 100 foot vertical and the house, which he stated would have to be 100 feet tall. He requested it be made to scale.

Mr. Campos wanted an opportunity to evaluate the information, make a presentation and speak to the options in writing. He characterized the document as a fairly comprehensive document. He asked that the hearing be continued to allow a response from the developer.

Commissioner Ramirez stated that a special meeting had been scheduled for May 29. He asked Mr. Campos if that would give him enough time or if he wanted to return at the June 12 meeting of the Commission.

Mr. Campos expressed a preference to meet on June 12 to allow him an opportunity to thoroughly review the information.
DONNA SOUZA, Pittsburg, complimented the City Council and the Planning Commission on the lengths that had been taken to provide information to the public. She lived in the hills of Pittsburg, wanted to see the hills continue, and asked the Commission to incorporate all the criteria necessary in the ordinance such as slope and density limitations and to address the issues to ensure the protection of the Pittsburg hills.

ROBERT GREEN, Pittsburg, had a concern with the rush in which the proposal was being pursued, suggested that there was no need to rush, and urged the Commission to review and adopt the ideals expressed in the Greenbelt Alliance letter dated May 22, 2007. He noted that there was good information from Orinda and Lafayette to protect the hills. He requested that a decision be deferred until everyone had an opportunity to review the proposal.

Mr. Green added that contrary to a previous Commissioner comment that there had only been two landslides in the City, he stated that there had been an injury landslide on Laguna in the last 25 years. He also referred to West Buchanan Road where the sidewalk was slipping. He stated that the hills were not stable and there were problems.

JOHN MODICA, Pittsburg, a member of the Oak Hills Community Group, commented that it would normally take him 25 to 35 minutes to travel from Oak Hills to City Hall. He stated that traffic was horrendous now and it would only worsen when more cars were added to the freeway. The more congestion, the more pollution and the more significant health risks. He stated that the problem was not development, it was over density and overkill of the land.

DENNIS LINSLEY, Pittsburg, commented that he had presented written comments to the Commission. He highlighted his comments to the options presented by staff: that slope methodology was much preferred over the flat rate density, in density sensitive areas he would support Options 4 or 1; in the clustering areas he recommended leaving the hills vacant and placing the homes in the valley, and for the density bonus calculation he suggested that rather than offering a certain percentage of land the bonus should be based on the amount of units to be built allowing those units to be moved to high density areas.

With respect to vertical setbacks, Mr. Linsley suggested that 200 feet was a great option still taking the same development units and placing them in a high density clustering area. He suggested that Vail, Colorado was an example of a high concentration of houses in the community while leaving the mountains in a less than developed manner.

GREGORY OSORIO, Pittsburg, suggested that there was a duty to protect the City’s attributes with hills on one side and water on the other.

Mr. Osorio encouraged the Commission to extend the Hillside Development Standards to all properties within the development area, including the Thomas and Montreux properties above 200 feet, and to protect Concord to ensure the visibility of both sides of the hills and
to protect the visually sensitive areas and the vertical buffer, with no roads. From the
comments he had heard he was encouraged that the decision would follow that train of
thought.

CHRISTINA WONG, Walnut Creek, the East Bay Field Representative, Greenbelt Alliance,
stated that she had written extensive comments on the Hillside Development Standards.
She thanked staff for putting all the comments together and for the workshop. She
suggested that the applicability should be extended below 500 feet to ensure that the
Hillside Development Standards continued to apply to the Thomas and Montreux
properties because of their elevation.

Ms. Wong supported the slope density calculation but suggested that a soils and slope
component was missing given the landslide prone hills and the need to address public
safety. She stated there should be no development on soils considered severely erodable
where it would be unsafe to build. She also wanted to make sure that the density bonus
should not apply to lands mandated by the City, such as the greenbelt buffer. She
explained that the Greenbelt Alliance supported the lowering of the clustering option to 7
units an acre. In the grading section, there were concerns for the grading of hilltops. She
noted that only the hilltops that were visually sensitive had some protection although there
were exceptions for slope stabilization in what she characterized as a loophole.

Ms. Wong added that they were impressed by the vertical setback of the ridges option to
200 feet. She noted that there were ridgelines in the City limits that had been deleted from
the General Plan in the southwest hills. She was encouraged that the definition of ridgeline
would expand to include those ridges.

Speaking for the California Native Plant Society, Ms. Wong stated that the Society wanted
to have the definition of streams include intermittent streambeds and not just blue line
streambeds since there were currently no blue line streambeds in the ordinance. The
ordinance did reference intermittent streambeds.

Ms. Wong clarified that the previously referenced letter from the Greenbelt Alliance had
included more details.

GREGORY HILE, Martinez, President of Enviro Justice, an organization based in Contra
Costa County which promoted environmental justice from a faith based perspective, stated
that the organization had supporters in 41 states, 11 countries on five different continents.
He stated that there were more than 50 congregations, synagogues, temples and other
faith communities in the City of Pittsburg and many more residents of the City who
worshiped in nearby communities.

Mr. Hile stated that the organization’s Contra Costa Justice Campaign for Safe,
Sustainable and Just Communities sought to embrace a common message that the
enjoyment of the
earth was among the most valuable gifts and the stewardship of that earth was among the highest responsibilities.

To that end, Mr. Hile stated that the organization joined in the efforts to save the Pittsburg hills and urged careful consideration in the adoption of Hillside Development Standards and Design Guidelines to meet the test of safe, sustainable and just communities. He urged the City to do a better job of preserving and protecting its precious resources and promoting sustainable economic growth, to preserve open space, the natural features of the hills, its ridgelines, peaks and slopes, the watershed and water quality, and wildlife habitat in cooperation and consideration of the surrounding communities.

RANDY HERNANDEZ, Pittsburg, thanked the Commission for listening to the concerns. He urged a responsible decision on the Hillside Development Performance Standards/Guidelines. He commented that he was bothered with the addition of more vehicles on City streets. He urged the Commission to consider the negative effects of allowing development in the hillsides. He urged the Commission to listen to its citizens.

Mr. Linsley noted that Discovery Builders had asked for a joint meeting with the Planning Department. He asked to be allowed to participate in that meeting should it occur.

Commissioner Thomas suggested that the Commission be allowed to have time to evaluate the information just presented, including the testimony from the public and the written comments.

Commissioner Ohlson also supported a continuance for the same reasons.

Commissioner Diokno had no problem delaying action but requested that staff consider additional items. He noted that one of his chief concerns was the General Plan allowing up to 3 units per acre. He commented that no matter the options, there were always too many houses. He wanted a standard of two units per acre.

Commissioner Diokno also clarified with staff that the last half sentence at the end of Item C1 of Attachment 1, Section 18.88.040 should be deleted. He also requested a re-evaluation of the presented options if considering a density option of 2 units per acre.

Commissioner Ramirez asked if the special meeting scheduled for May 29 was only to discuss the Hillside Development Performance Standards/Guidelines. Ms. Ayres advised it was not and the meeting was needed for other reasons.

Commissioner Ramirez made a motion to continue the public hearing to the next scheduled meeting on June 12, 2007.

Commissioner Garcia supported a continuance to the June 26, 2007 meeting, and
Commissioner Ramirez agreed to amend his motion accordingly. Commissioner Garcia seconded the amended motion to continue the item to the June 26, 2007 meeting.

Ms. Ayres clarified that the Commission was not requesting new information from staff other than the information requested by Commissioner Diokno, but time to read the current information and return for a discussion.

Ms. Ayres was directed by the Commission to evaluate any new information that had been presented in the testimony from the public at this meeting. She clarified at this time that staff had made no recommended options. The options had been submitted to the Commission for consideration and to offer guidance to staff. She emphasized that the information was not new. It was information that the public had presented to the Commission and staff over the last four months. She reiterated that the staff report offered an analysis of each item, which analysis was not a recommendation but potential alternatives to consider, which could be returned to the June 26 meeting.

Commissioner Ohlson was ready to submit his comments and votes on the various options at this time.

Chairperson Tumbaga stated if there were suggestions or comments that would affect the performance standards, as written, those comments should be presented to staff to allow a response at the meeting on June 26.

Commissioner Thomas clarified that the Commission was allowed to interject further options, to consider the options as submitted, or to make other suggestions.

Commissioner Garcia recommended that Commissioner Ohlson present his recommendations to staff in writing.

Commissioner Harris commented that in July three new seats would be appointed or reappointed to the Planning Commission. As such, he suggested that everything should be considered at that time.

Chairperson Tumbaga expressed a desire to hear Commissioner Ohlson’s recommended changes.

MOTION: (Withdrawn)

Motion by Commissioner Ramirez to continue the City-initiated Hillside Development Performance Standards/Guidelines to the meeting of June 26, 2007. Commissioner Garcia seconded the motion.

Ms. Ayres suggested that if taking comments, the motion should be withdrawn until the
comments had been received.

Commissioner Ramirez and Commissioner Garcia withdrew the motion.

Commissioner Ohlson commented that this was his first opportunity to offer responses in public to staff on the proposed Hillside Development Performance Standards/Guidelines. He offered the following recommendations:

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 1, Section 18.88.010, Specific Purpose, first sentence to be modified to change a 500-foot elevation to a 300-foot elevation, as follows:  The purpose of the hillside development standards are to: 1) ensure appropriate development of areas above a 300-foot (above sea level) elevation;

Ms. Vahl advised that would result in a change to the Applicability section as well, Section 18.88.020, which Commissioner Ohlson affirmed was his intent.

Commissioner Ohlson commented with respect to Item 4) in that same paragraph, “ensure slope stabilization,” that anything done in the area to build houses would destabilize the slopes. He added that it was not appropriate to make that statement since anything would reduce slope stability. As such, it should not be shown as a specific purpose.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 1, Section 18.88.030, Definitions, B, for Creek should include “intermittent streambeds.”

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 2, Section 18.88.040, Density, first sentence to be modified to read:  The maximum density for all land above the 300 foot elevation shall be three (3) units per acre, unless otherwise specified below.

Commissioner Ohlson expressed a desire to add a soils component to the slope density calculation, wherever appropriate. He commented that he would submit his grammar suggestions in writing.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 2, Section 18.88.040, Density, B3, he noted the need to compare that to B2.

Ms. Vahl advised that 3 units per acre as shown under subsection B3 represented a gross calculation from the General Plan based on gross zoning. When asked the difference between gross and net, Ms. Vahl affirmed that the streets would be subtracted to result in net zoning.

Ms. Ayres added that if there was a park or a school, that land would also be subtracted.
from the total.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 2, Section 18.88.040, Density, C, regarding density bonuses, asked that the permanent open space be by conservation easement.

Ms. Vahl suggested that was the intent by the reference to “permanently designated open space.” She stated that text could be added to state that a conservation easement would be required.

Commissioner Ohlson asked what guarantee there would be that visually sensitive areas would not be redefined at some future date and built upon.

In response, Ms. Ayres stated that all laws of the City were changeable by the City Council.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 2, Section 18.88.040, Density, C, regarding density bonuses, asked that the permanent open space be by conservation easement.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 4, Section 18.88.050, Structure Development Standards, B1 related to minimum lot sizes in visually sensitive areas, recommended a modification to read: There would be no houses in visually sensitive areas.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 6, Section 18.88.060, Site Development Standards, C1 related to the extent of grading and recommended the removal of the text ‘except as necessary,’ to be modified to read: Extent of grading. Grading shall be designed to minimize excavation and filling for individual building foundations, driveways, local roads, utilities, and slope stabilization. Exceptions for more extensive grading may be made for isolated clustered development areas.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 6, Section 18.88.060, Site Development Standards, C3 related to hilltops and recommended the removal of the text ‘substantial alteration of the natural form of ridgelines’ and recommended that the subsection read: Hilltops. Alteration of the natural form of ridgelines from the visually sensitive areas, the greenbelt areas or the open space areas shall be prohibited.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 6, Section 18.88.060, Site Development Standards, C4 related to contouring, wanted to limit all engineered slopes to 3:1 and eliminated the text ‘unless an engineering geologist can establish that a steeper slope can perform satisfactorily over the long term.’

Ms. Vahl explained that the text recommended for elimination by Commissioner Ohlson ‘unless an engineering geologist can establish that a steeper slope can perform
satisfactorily over the long term,’ had come directly from General Plan Policy 10-P-3.

Commissioner Ohlson withdrew that recommendation given his support of the General Plan, as written.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 6, Section 18.88.060, Site Development Standards, C2 related to steep slopes, objected to the reference to a 900 foot elevation and to the text ‘except as may be necessary for slope stabilization,’ with the subsection to read: **Steep slopes. Grading is not allowed on steep slopes exceeding thirty percent (30%) in areas with an elevation greater than seven hundred feet (700’), except as may be necessary for construction of trails, roadways, or other public infrastructure.**

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 7, Section 18.88.060, Site Development Standards, D1, Streets and Roadways, 1, asked if ADA regulations would prohibit the development of steeper roads.

Ms. Ayres advised that staff would look into that situation with the City Engineer given that the City Council had just adopted new street standards.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 7, Section 18.88.060, Site Development Standards, D2 related to split roads and single-loaded roads allowed in order to minimize grading, referred to General Plan Policy 7-P-52 which required bike lanes on arterial and collector streets.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 7, Section 18.88.060, Site Development Standards, F2 related to the prohibition of chain link fences on residential lots. Stated that General Plan Policy 4-P-7 discouraged the use of chain link fences in front and side yards but suggested that chain link fences in backyards abutting open spaces should be acceptable.

Ms. Vahl explained that there was a policy in the guidelines that spoke to fences abutting open space areas that should be visually permeable.

Commissioner Thomas noted that many of Mr. Ohlson’s comments were credible but stated that they should be suggestions in that the Commission as a whole would have to agree to the changes. She clarified that Mr. Ohlson’s comments were suggestions only.

Ms. Ayres clarified her understanding that Commissioner Ohlson was speaking to inform the Commission of his issues so that the Commission could know those issues in advance and consider those issues at the Commission’s next hearing. She stated that staff took direction from the full Commission, which meant the majority of the Commission. She added it was not the staff intent to make wholesale changes based on comments from one Commissioner. She also noted that staff would do its best to get the report out by June 15,
the Friday after the June 12 meeting, to be placed on the City’s website so that the public could be apprised of the material. She added that all information was on the website on the Friday before a meeting so that the public would be able to get that information. If ready on the 15th, that would allow 11 days for the public to review the information before the June 26, 2007 meeting on this item.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 8, Section 18.88.070, Ridge Preservation, B related to all other ridges and recommended that the text ‘visually sensitive areas’ be stricken, with the subsection to read: All other ridges. The provisions of this subsection apply to all other ridges (not designated as “major” ridgelines) and applies to all other ridgelines, not just those in visually sensitive areas.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 8, Section 18.88.070, Ridge Preservation, B2, related to elevations below ridgelines and requested that staff illustrate Fig. 5 in that section to scale. He suggested that 150 horizontal should be matched with 150 vertical, not 100 vertical as shown.

- Attachment 1, Chapter 18.88, Hillside Performance Standards, Page 9, Section 18.88.070, Ridge Preservation, C related to Uses on ridges and c. Streets and roads, and recommended the removal of ‘streets and roads” except for certain listed streets and roads, such as the Buchanan Road Bypass.

MOTION: (Carried)

Motion by Commissioner Ramirez to continue the City-initiated Hillside Development Performance Standards/Guidelines to the meeting of June 26, 2007. The motion was seconded by Commissioner Garcia and carried by the following vote:

Ayes: Commissioners Diokno, Garcia, Harris, Ohlson, Ramirez, Thomas, Tumbaga
Noses: None
Abstain: None
Absent: None

COMMISSION CONSIDERATION:

None

STAFF COMMUNICATIONS:

The Planning Commission acknowledged the following Notices of Intent (to review/approve
project at staff level):

a. El Pollo Loco Restaurant Remodel AP-07-429
b. ACE Hardware Sign Cabinet Replacement. AP-07-439

There was no objection to have staff handle the two items, as noted.

With respect to Commission accomplishments, Ms. Ayres stated that everyone must receive adequate training on Brown Act and Conflict of Interest issues. She asked if members had attended something other than what had been presented by staff, and if so, that staff should be so apprised. Commissioners are required to have that training occur every two years.

COMMITTEE REPORTS:

Commissioner Garcia reported on his attendance at the TRANSPLAN Committee meeting on May 10, at which time BART had announced that it had received additional funds and that eBART would go down the median strip of the freeway all the way to Hillcrest Avenue, which was now fully funded. He remained in disagreement with diesel units and supported electric units. Also at that meeting, the budget had been discussed and a new staff person, John Sighamony, had been introduced. Mr. Sighamony would replace John Greitzer as staff to the TRANSPLAN Committee.

COMMENTS FROM COMMISSIONERS:

Ms. Ayres noted that a Planning Commission Appreciation Dinner was usually held in June. After discussion, June 7, 2007 was tentatively scheduled as the date of the Commission Appreciation Dinner at the new Outback Restaurant.

When asked, Ms. Ayres stated that the appointment/reappointment of Commissioners would likely be made by the City Council at its second meeting in June.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:02 P.M. to a Special Meeting of the Planning Commission scheduled for May 29, 2007, in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission