A regular meeting of the Pittsburg Planning Commission was called to order by Vice Chairperson Ohlson at 7:00 P.M. on Tuesday, September 26, 2006 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Harris, Ramirez, Thomas, Vice Chairperson Ohlson

Excused: Commissioner Garcia, Chairperson Tumbaga

Staff: Planning Director Melissa Ayres, Associate Planner Leigha Schmidt, Project Planner Ali Endress, Assistant Planner Kristi Vahl, Senior Civil Engineer Alfredo Hurtado, and Chief Building Official Curtis Smith

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, September 22, 2006.

PLEDGE OF ALLEGIANCE:

Commissioner Ramirez led the Pledge of Allegiance.

DELETIONS/WITHDRAWALS/CONTINUANCES:

There were no deletions, withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

PETER GEHRINGER, 2385 West 10th Street, Antioch, identified himself as a business owner in the City of Antioch and property owner in the City of Pittsburg. He referenced the City’s plans to change the zoning for the Los Medanos Industrial Park as part of the Railroad Avenue Specific Plan.
Mr. Gehringer had a number of objections to the change in zoning, which he stated would change the nature of the business park. He provided comments in writing to staff. He asked for more time to respond since he had not been noticed of either the zoning change or of the recent workshops the City had held on the proposal.

Vice Chairperson Ohlson recommended that Mr. Gehringer speak with staff on the issue since it was not an agendized item on the agenda for discussion.

Planning Director Melissa Ayres reported that anyone who had attended the last workshop on the proposal would be noticed of future discussions, since multiple meetings would be held. She explained that the proposal was in the preliminary stages and no decision was being at this meeting.

PRESENTATIONS:

There were no presentations.

CONSENT:

a. Minutes – September 12, 2006

Vice Chairperson Ohlson asked that the minutes of the September 12, 2006 meeting be removed from the Consent Calendar. He recommended revisions to the following:

The second paragraph of Page 23:

Commissioner Ohlson suggested that a City logo be considered for placement on the building, facing the river.

The last sentence of the sixth paragraph of Page 24:

He [Commissioner Ohlson] did not see that there would be impacts to Loveridge Road during the freeway widening.

MOTION:

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

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

Item 1: Creekside Village Condominium Conversion. AP-06-310 (SUB)

A continued public hearing on an application by Chris Valeriote of Terra Nova Development requesting approval of a tentative map to convert 88 senior residential apartments from rental units to senior-restricted condominiums. The application includes a request for a reduction in the minimum requirement for private storage space and in the minimum number of required parking spaces. The site is located at 30 Castlewood Drive in a PD (Planned Development, Ord. 1185) District. APN 089-060-008. (Continued from August 8, 2006)

Assistant Planner Leigha Schmidt presented the staff report dated September 26, 2006. She recommended that the Planning Commission adopt Resolution No. 9635 approving AP-06-310 (SUB), with the conditions as shown.

Commissioner Ramirez spoke to the third paragraph of Page 3 of 4 of the September 26, 2006 staff report, which had indicated that a revised final inspection letter from the Building Division, identified as Attachment 9, would be included in the staff report. He stated that Attachment 9, dated May 5, 2006, had only shown the individual units requiring code compliance. No letter had been included in the staff report.

Chief Building Official Curtis Smith reported that he had a copy of the letter dated September 19, 2006, reflecting that the inspections for the Creekside Apartments were complete and that all items appearing on the code deficiency list based upon inspections conducted on May 2, 2006 through May 5, 2006, had been addressed and had been corrected as of August 31, 2006, signed by Brad Bashom, Building Inspector.

Commissioner Thomas thanked staff for the affirmation of the letter from the Building Inspector.

Commissioner Harris reported that he had been invited to visit the property at which time he had toured four or five of the apartment units occupied by tenants who had concerns. He had inspected the water heaters, spoken with a tenant of one of the units, and had visited two other tenants who had reported to him that there were no problems at this time.

PUBLIC HEARING CONTINUED

PROPONEENT:

CHRIS VALERIOTE, Terra Nova Development, P.O. Box 6660, Vacaville, was present to respond to questions from the Commission.
Commissioner Harris reiterated that he had visited the property. He questioned whether or not a maintenance crew was located on site. Mr. Valeriote advised that there was a full time eight hour, five days a week maintenance woman serving the property. He stated that over the time the units were being inspected, different things were required and the ongoing leaks, as an example, had been outsourced for repairs. He explained that the maintenance person was not a general contractor. Many of the maintenance items had been outsourced.

Commissioner Harris noted that he had viewed areas where the flashing near the door entrances needed repairs. He recommended that an additional maintenance person be hired. He expressed his hope that problems would not occur with the start of the rainy season. He asked the applicant to carefully monitor the property to ensure that past problems did not reoccur.

Having viewed the most recent photographs of the site and having reviewed the staff report, Commissioner Thomas acknowledged that the applicant had made an effort to ensure that the property was suitable for the tenants.

In response to Commissioner Ramirez, Mr. Valeriote agreed with the conditions of approval along with the additional recommendation from Commissioner Harris.

**INTERESTED SPEAKER:**

HENRY SCHNEIDER, 30 Castlewood Drive, Pittsburg, a long time resident of the complex, inquired whether or not the stipulations in Attachments 5 and 6 would remain in effect.

Ms. Schmidt explained that the tenant assistance and lifetime leases were in place and would apply to those 60 years of age or older.

**OPPONENT:**

MARY MARTINEZ, Walnut Creek, asked that her previously submitted photographs be returned. She understood that the new photographs provided to the Commission had been submitted by another person. She suggested that the photographs might not be of the subject apartment units.

In response to Commissioner Harris as to the lack of a date on the newly submitted photographs, Ms. Schmidt advised that a photo summary had been included following the photographs which had all been taken in April 2006. Four units had mold and the maintenance workers had photographed those units and the renovations.

Commissioner Harris pointed out that the photographs were all of Unit 130. In response to Ms. Martinez, Ms. Schmidt stated that pursuant to the Municipal Code, tenants would be entitled to relocation assistance and all provisions included in Attachment
6 of the staff report. The relocation assistance would be two times the amount of the monthly rent not including additional costs.

Ms. Martinez questioned whether or not Mr. Abbott’s apartment unit, Unit 130, had been inspected. She suggested that when it rained again there would be additional problems with the apartment units.

Commissioner Harris reiterated that he had visited some of the units and had viewed the property. As to whether or not problems would occur again would depend on the rainy season.

Ms. Martinez suggested that the people were not being heard and that no one cared. As a spokesperson for many of the tenants who were elderly, she suggested that those residents were fearful and that some relied on Section 8. She suggested that the Federal Emergency Management Agency (FEMA) should have been contacted when the problems with some of the apartment units had first occurred. She suggested that there were cracks in the fire lane and that the building was failing.

Commissioner Harris noted that the tenants were present in one of the units he had visited. Those tenants had affirmed at that time that the work was complete and that there were currently no problems.

Ms. Martinez stated that she would attend future meetings with photographs of the cracks in the building. She suggested that future problems would occur.

Commissioner Ramirez inquired of the Building Official whether or not there were drainage problems at the property when it rained.

Mr. Smith reported that there were maintenance issues that could be resolved, such as wood chips that were in disarray and piled up likely running into some of the DI’s and some maintenance issues that would be reviewed. From an inspection point of view, the Building Inspector had reviewed life safety issues and not the attractiveness of the property. He emphasized that if the condominium conversion was approved, as for any home purchase, he would encourage a prospective buyer to seek a complete home inspection since that would involve a thorough inspection of the property. He added that it was not the City’s role to make that inspection.

Commissioner Ramirez suggested that the needed maintenance be an additional condition of approval. He verified with staff that would not be an issue.

Commissioner Thomas assured Ms. Martinez that the Commission would do whatever possible within the constraints of its authority.

Commissioner Thomas recognized that some tenants had expressed concerns which had been the reason the item had been continued on a number of occasions. She suggested
that Ms. Martinez keep abreast of the issues if the project was approved. She also suggested that in the future substantiated proof of any problems could be reviewed at that time.

Commissioner Diokno noted that the report from the Building Official had referred to the uneven settling of the foundation which had been repaired with the adjustment of doors and windows. He inquired whether or not any work had been done to correct the foundation problems.

Mr. Smith explained that there had only been adjustments to the doors and windows. He pointed out that any new building would settle. He had not viewed any cracks and was unaware of any heaving. Uncertain of the condition of the soil below or what the building or soils engineer had initially required, he could not comment on the soils. Having viewed the building this date, he had not seen any stress cracks or signs of severe settling of the stucco.

In response to Commissioner Harris, Mr. Valeriote commented that the maintenance person for the complex had experience as a laborer and had been present during the construction period. He emphasized that thousands of dollars had been spent on labor ready individuals to assist the maintenance worker. He noted that doors and windows had been adjusted and that minor amounts of settling had occurred. He had personally walked the last block with the Building Inspector and had walked through every door of the total 88 units, where any inoperable doors would have been corrected. He had not viewed any cracks, although he noted that cracks generally occurred with any development.

Mr. Valeriote emphasized that there were no structural problems with the building. Of the number of complaints he had received, there had been eight to ten actual leaks, along with different complaints regarding A/C units, water heaters and the like.

Mr. Valeriote also clarified that the condensing units drained saline water outside per code into the landscaping area, which had caused no problems. The overflow went outside of the building.

In response to Commissioner Harris’s comment that the winter would determine whether or not problems remained, Mr. Valeriote emphasized that he was responsible and would monitor that situation. He reiterated that there were variations in uniform flatness of the foundation which was perceptible in some units although within code. He reiterated that some of the doors were settling enough that caused dragging and had all been repaired. He suggested that if the units were inspected now they would pass any inspection. He noted that any future homeowner would be issued warranties and the company would stand behind its work.

PUBLIC HEARING CLOSED
MOTION: AP-06-310 (SUB)

Motion by Commissioner Ramirez to adopt Resolution No. 9635, approving AP-06-310 (SUB), a Tentative Map for condominium purposes for Creekside Village Senior Apartments located at 30 Castlewood Drive, “Creekside Condominium Conversion, AP-06-310 (SUB),” with the conditions as shown and with an additional condition that an additional maintenance person be hired to ensure that the property was in order to ensure no problems in the winter. The motion was seconded by Commissioner Thomas and carried by the following vote:

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

PUBLIC HEARINGS:

Item 2: Goodwill Industries. AP-06-355. (UP/SR)

An application for the approval of a use permit to establish a Goodwill Industries retail store and donation center in a 10,455 square foot leased space located at 396 Atlantic Avenue in Atlantic Plaza Shopping Center. The property is zoned CC (Community Commercial) District. APN: 088-121-028.

Project Planner Alexandra Endress presented the staff report dated September 26, 2006. She recommended that the Planning Commission adopt Resolution No. 9663 approving AP-06-355 (UP/SR), with the conditions as shown.

PUBLIC HEARING OPENED

PROPOSENENT:

CRAIG WILSON, Goodwill Industries, 1301 30th Avenue, Oakland, explained that Goodwill Industries had a current retail store on Railroad Avenue and planned to expand the community based service which would allow more items to be in the store for the community to purchase. Goodwill had 25 stores in three different counties and the proposal would allow it to complete its mission.

Mr. Wilson offered the Planning Commission pamphlets of information about Goodwill Industries. He otherwise clarified that the staff report had reported that up to 84 percent of Goodwill’s total revenue would be used to fund education and career services and other critical community programs. He stated that Goodwill actually paid 94 cents of its revenue
Mr. Wilson reported that Goodwill Industries had its first donation center in Contra Costa County at the Moraga Shopping Center, which had involved a new concept from Los Angeles to address the amount of dumping that occurred at certain sites and which was a serious expense for the non-profit agency. The Moraga site had been in existence for a year. No incidents had occurred in that storefront area. The new Pittsburg location would mirror that facility.

Commissioner Harris clarified with Mr. Wilson that the existing Goodwill Industries store on Railroad Avenue would be closed once its lease expired in January 2007. He noted that the Railroad Avenue location had experienced problems with dumping, and an adjacent property owner had been impacted by debris that had been dumped at that property. He expressed concern that the same problems would occur at the new location.

Mr. Wilson suggested that with the new location, the reception/donation area, which would have extended hours, would reduce the drop-off of any items. Two clean ups occurred during the evening at the Railroad Avenue site. It was possible that unwanted donations would be a thing of the past at the donation site.

Commissioner Harris recommended that the new site which had an area to the rear include large containers for items to be left so that those items would not be left to scatter around the area.

If that was done, Mr. Wilson suggested that people would arbitrarily drop off anything, including unwanted items. He expressed concern that during the evening people would use the rear area as a dumping ground.

Commissioner Ramirez noted that the recommended conditions were specific in terms of the donations, to which Mr. Wilson explained that Goodwill had submitted a majority of those conditions in the conditions of approval, of which he had read and was in agreement.

Commissioner Thomas inquired whether or not the facility would be similar to the Antioch Goodwill Donation Center.

Mr. Wilson reiterated that the new location would be a new concept, not like the Antioch donation center. The new donation area would be located in a shopping center, with the donation attendant using a cart to allow the donations to be placed out of a vehicle to the donation attendant at which time a receipt would be offered. The cart would then be taken back into the space.

There would also be a stainless steel counter where inside drop-offs could be made and
where there would be an information table to provide coffee and small refreshments as Goodwill had in its Moraga location.

Large items would be taken behind the building and placed in a specific area, to be picked up by Goodwill trucks and transferred to the processing plant located in the City of Antioch.

Vice Chairperson Ohlson referenced Section 2, Decision, Condition 3 of Resolution No. 9663, and noted that the condition conflicted with the first bullet on Page 3 of 6 of the staff report. He asked staff to clarify the true statement that should be included in the document.

Mr. Wilson wanted people to be accustomed to the donation center and come through the donation center and not through the retail store.

Vice Chairperson Ohlson recommended the elimination of Condition 3 of Resolution No. 9663, which recommendation was accepted by the applicant.

Vice Chairperson Ohlson also requested the following modifications:

To Section 2, Decision, Condition 4:

4. *There shall be no storage of trucks or trailers at Atlantic Plaza Shopping Center.*

To Section 2, Decision, Condition 5:

5. *Trucks and trailers servicing the store may while actively loading and unloading remain on the site. Trucks and trailers shall load and unload only at the rear of the store.*

To Section 2, Decision, Condition 6:

6. *Unattended trucks or trailers at the site shall be removed within an hour.*

To Section 2, Decision, Condition 7, second sentence:

7. *All loading/unloading to/from Goodwill Industries trucks shall occur in the loading/unloading through the roll up door in the rear of the donation reception center.*

To Section 2, Decision, Condition 8, second sentence:

8. *All bins, dollies, and other equipment used by Goodwill Industries shall be stored inside at all times when not in use.*
To Section 2. Decision, Condition 9, first sentence:

9. *A Goodwill Industries representative shall visit the site at least twice each non-business-hour period (every weekend between 8:00 P.M. and 8:00 A.M., and weekend nights between 6:00 P.M. and 10:00 A.M.) to monitor the storefront.*

To Section 2. Decision, Condition 10, recommended the posted notice to the public in the storefront door include the weekend hours

To Section 2. Decision, Condition 11:

11. *Goodwill Industries shall install video security equipment to discourage the dropping off of nuisance donations during non-business hours at all entrances.*

Commissioner Thomas inquired whether or not the rear area would have any cameras, to which Mr. Wilson affirmed that cameras would be at the rear and at the entrances.

Mr. Wilson further affirmed, when asked, that he accepted the conditions as amended. He added that as part of Goodwill’s employee training, the conditions would be provided to employees.

LARRY WIRICK, Pittsburg, 2265 Bayberry Circle, a member of the Pittsburg Chamber of Commerce, explained that he was present to visit periodically to establish better communications. He pointed out a typographical error on the sign portion of the application as contained in the staff report.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-06-355 (UP/SR)

Motion by Commissioner Thomas to adopt Resolution No. 9633, approving AP-06-355 (UP/SR) approving a Use Permit to operate a second hand retail store with an ancillary donation reception center at 396 Atlantic Avenue, “Goodwill Industries”, AP-06-355 (UP),” with the conditions as shown, with the elimination of Condition 3, and with modifications to Conditions 4 through 11. The motion was seconded by Commissioner Harris and carried by the following vote:
Vice Chairperson Ohlson identified the ten day appeal process on a decision of the Planning Commission in writing to the City Clerk.

**Item 3: K & B Development Agreement**

A public hearing on an application filed by KB Home requesting approval of a development agreement to pay a fee in-lieu of meeting its inclusionary housing requirement on the site of its 65-unit single family project approved on the south side of E. Leland Road, on both sides of Gladstone Drive in a PD (Planned Development) District.

Planning Director Melissa Ayres presented the staff report dated September 26, 2006. She recommended that the Planning Commission adopt Resolution No. 9662 recommending Council approval of the K&B Development Agreement (DA), AP-06-358 (DA).

Ms. Ayres clarified that the staff report was in error since it had shown that the in-lieu fee would be paid 100 percent at the time of the 10th building permit. In fact, based on negotiations for the final DA, 50 percent of the fee would be paid after the 10th building permit with the remaining fees to be paid after the 37th building permit. That timing would work for Mercy Housing with respect to its project.

In response to Commissioner Thomas, Ms. Ayres explained that the KB Home development would be a market development and the subject request, as previously reported, would help to fund the Mercy Housing development and provide the gap for that development while the City also worked to seek other matching funding sources. She affirmed that Mercy Housing was aware of and was pleased with the arrangement.

Commissioner Diokno commended staff on the way staff had approached the project which he viewed as a win-win to both developments.

Vice Chairperson Ohlson referenced Attachment 2, the Development Agreement between the City of Pittsburg, California, and KB HOME South Bay, Inc., Page 18, Section 10.08, Resolution of Disputes, and inquired of the definition of JAMS.

Ms. Ayres explained that JAMS referred to arbitration and was a legal term.

PUBLIC HEARING OPENED
PROPONENT:

RAYPanek, KB Home South Bay, 6700 Koll Center Parkway, Suite 200, Pleasanton, suggested that the item represented a creative win-win situation for both parties where KB Home could get its project moving, help Mercy Housing and enter into the DA. He looked forward to a positive vote. He also clarified that the reference to JAMS was an organization of retired judges, when or if there was a need for mediation on a project. He also affirmed, when asked, that he understood and accepted the conditions of approval.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-06-358 (DA)

Motion by Commissioner Ramirez to adopt Resolution No. 9662, recommending City Council approval of a Development Agreement between the City and “KB Home South Bay Inc.” as presented. The motion was seconded by Commissioner Harris and carried by the following vote:

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

Vice Chairperson Ohlson identified the ten day appeal process on a decision of the Planning Commission in writing to the City Clerk.

COMMISSION CONSIDERATIONS:

Item 4: Century Plaza Façade Remodel. AP-06-353 (DR)

An application by Louis Parsons of Discovery Builders and Douglas Messner of Sierra Pacific Properties requesting design review approval of architectural plans for a façade update of the Century Plaza Shopping Center on Century Boulevard. The project site is located on the north side of Century Boulevard between Brendan Theaters and Auto Center Dive and is zoned CC (Community Commercial) District. APNs 074-460-002, 003, 004, 008, 010, 011, 013.

Assistant Planner Kristi Vahl presented the staff report dated September 26, 2006. She recommended that the Planning Commission adopt Resolution No. 9661 approving AP-06-353 (DR), with the conditions as shown.
Given the size of the development, Commissioner Ohlson recommended the consideration of additional bike racks beyond the total number being proposed.

Ms. Vahl explained that the number of bike racks had been based on the formula used for bicycle racks recently adopted in the Zoning Code. As a result, based on that formula it had maxed out at 200 parking stalls which would require 14 bike racks. If more bicycle racks were desired, that would be up to the Commission.

Commissioner Ohlson recommended that the 14 bicycle racks be spread liberally around the shopping center. He pointed out that bicyclists preferred the wave bike rack design.

PROPONENTS:

DOUG MESSNER, Sierra Pacific Properties, 5061 Port Chicago Highway, Suite H, Concord, commented on the retail center which had been dominant for many years. With the new growth in the Antioch and Brentwood area, he stated that something had to be done to bring vibrancy back to the center before tenants were lost. While Old Navy had left to locate in the Antioch/Brentwood area, other tenants had been brought to the center, including many new restaurant tenants.

PETER STACKPOLE, Loving Campos Architects, Walnut Creek, described the project which was all about color, through the use of specific and purposeful rich colors that would work together, emphasize an implied sense of depth on the façade, and offer a scale, depth and pedestrian sense. The colors were intended to contrast and work on the existing façade through the creation of layers, with depth to create corners, to break up the paint in appropriate ways, with a mix of materials, stucco, and metal roofs to break up the façades into identifiable areas and to create a sense of location and identify the project as a whole.

The elements of the façade would be applied and would relate to existing tenants and storefronts, while working to minimally disrupt the existing tenants. The storefronts, tower elements, break in the facades, and the use of vertical palm trees would serve as a counter point to the long horizontal façade.

Mr. Stackpole explained that the application had been submitted six weeks ago, and in working with staff they had addressed all of the issues. With respect to the new comments in the staff report on minor design issues, he asked that the application be approved with that approval to be conditioned to allow the applicant to work with staff to fine-tune some of the items.

Mr. Messner spoke to the challenges with the project due to the national tenants in the center, who all had lease rights which required their approval to modify the exterior of the storefronts. Emphasizing the difficult process, he stated that there would be periods where
work could not be done in the common area during certain holiday or special retail periods. As a result, he wanted the ability to work with the tenants and if variations in the design occurred in the plan, to be allowed to work with staff on possible color changes, or to be able to move elements from one area to another.

Also due to the constraints of construction, Mr. Messner expressed the need for more time to start and complete the project. He understood that if the project was approved the approval would be good for one year. He asked that the approval period be extended to three years to allow for the opportunity to accomplish the project.

Commissioner Ramirez was pleased with the plans, proposed landscaping and palm trees. He agreed that the area needed a face lift with new construction in the area. Commissioner Ramirez complimented the recent update to the Raley’s Shopping Center, also owned by the subject applicant.

Commissioner Harris inquired if the development was approved when the work would commence, to which Mr. Messner explained that they would first meet with the various tenants to obtain their approvals. He had met with some of the tenants, including Target, Ross, and Best Buy, at which time the conceptual plans had been discussed.

Ms. Ayres advised that the time period for the approval could be modified to three years.

Commissioner Harris suggested that the improvements be completed sooner than later to provide needed enhancements to the area. He suggested that the monument signage was in need of an upgrade as well.

Mr. Messner clarified that Target controlled the sign. He added, when asked, that they had plans to remodel the Atlantic Plaza Shopping Center and planned to appear before the Commission very soon with plans for consideration in that case.

Commissioner Thomas inquired whether or not a market analysis has been prepared on the proposal since the colors and design scheme from a woman’s point of view captured one’s eye and the visualization was very good. She was very pleased with the proposal. She otherwise had concerns with youth at the Brendan Theater and urged the applicant to continue monitoring that situation.

Mr. Messner identified meetings with Brendan Theaters and some of the other tenants to discuss some issues. Routine meetings with those tenants would continue. He reported that the sales at Brendan Theaters had increased possibly as a result of a tamer situation in Pittsburg and problems at the Regal Cinema in Antioch.

Commissioner Diokno liked the concept but noted the lack of street furniture since there were areas that could be designed for public plazas or gathering places. He would like to
see the addition of a water element in some of the locales as part of the façade remodel.

Mr. Messner explained that water features were easily vandalized in shopping centers.

Mr. Stackpole added the intent to provide the tower elements at specific locations to identify the pedestrian areas with the addition of the palm trees in those areas. Due to the existing tenants, it was difficult to modify the areas in front of the storefronts.

As to the addition of benches, Mr. Messner suggested that some benches could be placed around the clock tower feature in the middle or some of the other gathering points.

Mr. Stackpole also clarified, when asked, that there was one clock tower in the middle of the development which would be refaced and which would remain.

Vice Chairperson Ohlson understood the use of the palm trees although he was not a big fan of palm trees. While he recognized that the parking lot would not be redone, he recommended the planting of more trees in the parking lot area to provide more shade. He otherwise liked the project and the effort to preserve the tenants and customer base.

Commissioner Diokno commented that anything in the public realm was open to vandalism and he would like to see a water feature which would add to the atmosphere of the center.

Mr. Messner reiterated that water features were a problem in the ownership of properties but were not so bad if located in a controlled environment. In this case, the location of the center lent itself to people coming from outside the City and was a large site to patrol. Any feature, such as a water feature, would become a maintenance concern and would not be a positive aspect of the project.

Commissioner Thomas made a motion to approve the project as conditioned, with the approval period to be extended for three years.

Commissioner Harris seconded the motion.

On the motion, Ms. Ayres questioned whether the installation of benches around the property and certain gathering places was to be provided and added as a condition of approval.

The maker and second to the motion, modified the motion to add an additional condition to add benches.

**MOTION:**

Motion by Commissioner Thomas to adopt Resolution No. 9661, approving AP-06-353 (DR), Design Review approval of architectural drawings for a façade update of the Century
Plaza Shopping Center located on the north side of Century Boulevard, APNs 074-460-002, 003, 004, 008, 010, 011, and 013, with the conditions as shown and subject to the following additional conditions:

- Approval period for the project shall be extended from one year to three years;
- Benches shall be installed around the property and certain gathering places.

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

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

**Item 5: City-initiated Billboard Sign Exception Request**

Consideration of a request for an exception to the City Sign Ordinance to allow the construction of a 50 foot high commercial billboard on property located at 2695 E. Leland Road in the SC (Service Commercial) District in exchange for the removal of three existing commercial billboards. APN 088-152-001-9.

Ms. Ayres presented the staff report dated September 26, 2006. She recommended that the Planning Commission approve the City-initiated Billboard Sign Exception Request.

Commissioner Thomas questioned the advantage to the City when Clear Channel removed the three billboards.

Ms. Ayres noted that in exchange for the new billboard sign along a regional corridor, Clear Channel would remove three existing billboards which were out of place and detrimental to the community and downtown in particular. A photo simulation of the new billboard had been included in the staff report. If the sign exception was approved and the Council approved the billboard relocation agreement, the agreement required the developer to come back to the Planning Commission for design review of the new sign. The actual design would be subject to design review approval at a later date. The removal of the three billboards would result in a net reduction in visual blight in the community.

The City was also negotiating with Clear Channel for a potential second billboard in exchange for building a City billboard, to be located on an approved site on the Vista del Mar site at the west end of town, in exchange for building and maintaining that billboard for 15 years.

Commissioner Harris inquired if approved whether or not the billboard sign exception would affect other signs in the City.
Ms. Ayres explained that this was an exception to the Sign Ordinance since there was a public benefit to do so. It would not affect other signs in the City. Staff still planned to revise the existing Sign Ordinance in the future.

Commissioner Harris questioned whether or not the City could require Caltrans to weed abate its properties located in the City given that he had routinely requested that the properties be cleaned up. To date, nothing had been done.

Ms. Ayres suggested that the Assemblyman representing Pittsburg could be contacted with those concerns. As the freeway was widened, it was possible the problem would be resolved with new landscaping or sound walls on the Caltrans properties.

PROponent: City of Pittsburg

OPponents: None

PUBLIC HEARING CLOSED

MOTION:

Motion by Commissioner Ramirez to adopt Resolution No. 9664, approving a sign exception request to install a new commercial billboard at 2695 E. Leland Road, “City-Initiated Billboard Sign Exception Request,” with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

STAFF COMMUNICATIONS:

Ms. Ayres reported that a tentative joint workshop with the Planning Commission and the City Council had been scheduled for November 20 to present a conceptual site plan layout for the Railroad Avenue Specific Plan. Workshops on the plan had been held with local business and property owners and local residents. The map continued to be refined based on comments. The City Council and Planning Commission would be asked to comment on the conceptual plan before an entire specific plan document was prepared that might not be supported.

COMMITTEE REPORTS:
Commissioner Ramirez commented that the Vidrio dedication ceremony had been well attended. Supervisor Glover and Assemblyman Canciamilla had attended that event.

COMMENTS FROM COMMISSIONERS:

Commissioner Harris reiterated the problem he had previously reported with a boat being parked on Harbor Street. He also inquired of the status of the Frances Green church. Ms. Ayres reported that the landscaping was to have been installed the third week of August although nothing had been done.

In response to the Vice Chair, Ms. Ayres clarified that the former Winter Chevrolet property was being used by a Suzuki car dealership and that the project had received Administrative Design Review approval after the Commission received a Notice of Intent by staff to exercise Design Review. Ms. Ayres also noted that the project was subject to the use permit conditions that transferred to this owner from Rose Winter Chevrolet business.

Vice Chairperson Ohlson expressed concern that an area at the entrance to the City from State Route 4 to Railroad Avenue across from the former Winter Chevrolet property had previously been nicely landscaped but had become a construction area. He questioned whether not the landscaping would be replanted.

Ms. Ayres explained that the Public Works Department would improve the area when it was back in the City’s control, although it remained within Caltrans’ construction easement.

Ms. Ayres added, when asked, that Ferguson had not responded to the City regarding a past use permit application request but had recently applied for design review approval for a storage building which had recently been approved under the Notice of Intent process.

As to the former Lucky’s Store building at Central and Railroad Avenue, Commissioner Thomas reported that she had viewed furniture being brought into that building.

Ms. Ayres reported that the gas station at 301 Central Avenue had received design review approval with plans in building plan check. She also reported that an application recently approved by the Planning Commission for Koch Carbon had been appealed to the City Council.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:11 P.M. to a regular meeting of the Planning Commission on October 10, 2006 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.