A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ramirez at 7:00 P.M. on Tuesday, May 9, 2006 in the Council Chambers, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

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

Absent: None

Staff: Planning Director Melissa Ayres, Associate Planner Christopher Barton, Assistant Planner Leigha Schmidt, and Senior Civil Engineer Alfredo Hurtado

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, May 5, 2006.

PLEDGE OF ALLEGIANCE:

Commissioner Garcia led the Pledge of Allegiance.

DELETIONS/WITHDRAWALS/CONTINUANCES:

There were no deletions, withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:
There were no presentations.

**CONSENT:**

a. Minutes – April 25, 2006  
b. Resolution of Intent – Amend Title 18 of the Pittsburg Municipal Code for the Storage of Coke, Coal and Sulfur

**MOTION:**

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

- **Ayes:** Commissioners Dolojan, Garcia, Harris, Ohlson, Ramirez  
- **Noes:** None  
- **Abstain:** Commissioners Thomas, Tumbaga  
- **Absent:** None

**PUBLIC HEARINGS:**

**Item 1: North American Motorcycle Company/Contra Costa Cycles. AP-06-313 (UP)**


Assistant Planner Leigha Schmidt presented the staff report dated May 9, 2006. She recommended that the Planning Commission adopt Resolution No. 9641, approving AP-06-313 (UP), with the conditions as shown.

**PUBLIC HEARING OPENED**

**PROPONENT:**

LISA ROAY, 297 Buchanan Road, Pittsburg, affirmed when asked by the Chair that she had read and was in agreement with the staff recommended conditions of approval. She had nothing further to add to the record.

**OPPONENTS:** None

**PUBLIC HEARING CLOSED**
MOTION: AP-06-313 (UP)
Motion by Commissioner Garcia to adopt Resolution No. 9641, approving AP-06-313 (UP), a Use Permit to allow custom manufacturing of motorcycles at “North American Motorcycle Company/Contra Costa Cycles. AP-06-313 (UP),” with the conditions as shown. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

Item 2: Viking Processing Corporation Addition/Expansion. AP-05-293 (DR/VA)
Application by Jim Miller, on behalf of Viking Industrial Corporation, requesting design review approval to construct a 26,000 square foot building with related site improvements and an exception to IP District lot coverage regulations in order to expand an existing wholesaling and storage business located on a 5.46 acre site at 620 Clark Avenue, IP (Industrial Park) District. APN 088-250-066.

Associate Planner Christopher Barton presented the staff report dated May 9, 2006. He recommended that the Planning Commission adopt Resolution No. 9639, approving Variance and Design Review Application No.AP-05-293, with the conditions as shown.

Commissioner Ohlson spoke to Condition 12 of Resolution No. 9639, and inquired of staff who would receive the fees to be paid as part of that condition and how they would be spent.

Senior Civil Engineer Alfredo Hurtado noted that the fee referenced in Condition 12 involved funds related to the cost of design and construction. A fee had been created for the City to recoup funds the City had to spend and which were applicable to any new additions or developments in the creek area. The fee was being paid to the City as opposed to the Flood District.

Commissioner Ohlson also spoke to Condition 4 of Resolution No. 9639 as shown and requested clarification from staff on the intent of that condition.

Mr. Barton explained that the trash compactor staff recommended be screened from view with a roof was located on the neighboring property to the west. The applicant would also be required to meet National Pollutants Discharge Elimination System (NPDES) storm water policies. The condition would allow flexibility to speak with the neighboring property owner on that issue. If the neighboring property owner did not agree, the trash compactor must be moved on-site, which staff acknowledged would further exacerbate the lot coverage variance, although it had been taken into account when staff had made the
findings to approve the variance request.

The applicant would have to verify whether or not the neighboring property owner was in agreement with that recommendation.

Commissioner Ohlson also expressed concern with the fact that there was a propane tank on the neighboring property. He questioned whether or not it was included in the agreement. If the neighboring property owner did not agree to the condition being set by the City, he would recommend the relocation of the trash compactor and the propane tank.

PUBLIC HEARING OPENED

PROPOONENT:

JIM MILLER, Architect, 600 Cumberland Street, Pittsburg, explained that his client had read the conditions and was in agreement with those conditions, although he wanted to clarify the issue with respect to the trash compactor. He had understood that Condition 4 would not require a roof over the trash compactor due to the fact that the access to unload the compactor was from the top. A roof would therefore have to be very high as a result. He reported that his client had permission to screen the trash compactor from view through grading and landscaping.

Mr. Barton explained that Condition 4 had been written to allow flexibility for the applicant to meet Best Management Practices (BMPs) for storm water runoff. While staff preferred a roof over the trash compactor, he understood that it was unloaded from the top and that a roof could be a constraint. The applicant would be required to identify other BMPs in the design.

Mr. Miller commented that he had not studied that issue and was uncertain a roof was needed, although they would study possible solutions. As to discussions with the neighboring property owner, the applicant at this time had verbal approval to grade and plant landscaping to screen the trash enclosure.

Mr. Miller also spoke to Standard Development Condition 8 and requested clarification from staff on the intent to underground utilities. He noted that an existing utility pole was located across the railroad easement that would be impossible to relocate. He expressed his hope that the condition was a general condition that would not apply in this instance.

Mr. Hurtado affirmed that the condition in this instance would not be applicable to the project. The existing utility pole may remain as is. The requirement for underground utilities applied to City streets.

Commissioner Garcia clarified with the applicant, Spencer G., Viking Processing
Corporation, 600 Cumberland Street, Pittsburg, that the trash compactor was used for the waste and packing material uses for the steel coils. A hopper was lowered overhead into the trash compactor to condense the material in the compactor. The trash compactor was not used for routine garbage waste.

Commissioner Thomas inquired of the number of employees envisioned for the business. She also inquired whether or not the applicant would hire local employees.

The applicant explained that the addition to the business would require 54 employees who would originate primarily from Pittsburg and Antioch. When asked about the agreement with the neighboring property owner, he explained that the adjacent property had previously belonged to Viking Processing Corporation, which had swapped buildings formerly owned on Bliss Avenue with buildings on Clark Avenue. The neighboring property owner needed the same number of square feet and the neighboring parcel was a small piece of property that encroached over and into where the trash compactor was located. The parcel was not a developable piece of property. He stated he had a good relationship with the adjacent property owner and [he] had agreed to pay for the repaving of the railroad tracks on Freed Way, which were not located on the subject property. He also clarified that Merritt USA was the parent company of Viking Processing which had been a local business for many years.

Mr. Miller referenced Section 3. Decision, Condition 5, and inquired of staff whether the intent of that condition was to change the mailing address for all of the buildings for Viking Processing.

Planning Director Melissa Ayres advised that the intent was for all buildings with a Clark Avenue address to be changed to Garcia Avenue since Clark Avenue was not an official street. There could be multiple addresses off of Garcia Avenue. The request to change the mailing address had come from the Fire Protection District.

Mr. Miller expressed a desire to work with the Fire District on that issue since there would be a financial hardship in changing all of the company paperwork and accounts with a new address.

Mr. Barton reiterated that the request had come from the Fire District from a service standpoint, where the District indicated it had new personnel not familiar with Clark Avenue, which was not an official street. The District had indicated that service to the site would be improved with a change in address.

The applicant pointed out that there were four separate building sites. While they could change the address of the buildings on the south side of Clark Avenue, the building located at 620 Clark Avenue [Building A], was their office building. He would like to preserve the...
existing address since it would cause a tremendous amount of hardship on the business to change the mailing address. He expressed the willingness to post a number on the building if that would improve the visibility of the site for the Fire District.

Commissioner Harris suggested that the Fire District resolve the issue with the applicant.

Ms. Ayres explained that the reason the condition had been included in the resolution of approval was that the City was responsible for the establishment of addresses.

Mr. Miller also spoke to Condition 20 of Resolution No. 9639. Rather than construct a permanent fence or railing along the north edge of the existing open drainage swale located on the south side of Clark Avenue, he asked that they be allowed to construct a curb along that edge which would be a better solution. A curb would allow a car to overhang like a bumper at a parking space and would allow debris to be cleaned out of the open drainage swale, as necessary.

Mr. Barton explained that Condition 20 had been imposed by the City’s Traffic Engineer. He acknowledged that a curb would be sufficient and that a railing or fence would not be necessary. The condition could be modified to reflect the applicant’s request.

Speaking to the issue surrounding the mailing address, Commissioner Ohlson supported the Planning Commission’s cooperation with the Fire District’s request that the address be changed from Clark to Garcia Avenue.

Commissioner Harris reiterated that he would like to see staff work with the applicant and the Fire District to address that issue.

Commissioner Tumbaga also spoke to the issue surrounding the mailing address and pointed out that Clark Avenue had been in existence for 50 years. While she recognized that the Fire District might have new personnel and the District would like the address changed, she suggested that their new personnel should learn where things were located in the community. She agreed that imposing a condition to change the mailing address could cause a financial hardship on the business. She was not opposed to the address remaining as is.

OPPONENTS: None

PUBLIC HEARING CLOSED

Commissioner Thomas offered a motion to adopt the resolution of approval, with amendments to Conditions 4, 5 and 20.

Commissioner Garcia offered a second to the motion and requested an amendment to the motion to clarify the changes to the following conditions:
• Section 3. Decision, Condition 4 of Resolution No. 9639, to be amended to reflect that no roof shall be required for the trash enclosure;

• Condition 5 to be amended with the developer, the City and the Fire Protection District to work out the request to change the mailing address for the property from Clark Avenue to Garcia Avenue;

• Condition 20 to be amended with the Engineering Department and the applicant to work out the best solution for the area along the north edge of the existing open drainage swale located on the south side of Clark Avenue.

MOTION: AP-05-293 (DR/VA)

Motion by Commissioner Thomas to adopt Resolution No. 9639, approving AP-05-293, granting Design Review approval for plans to construct a 26,000 square foot building and a Variance for IP District Lot Coverage Regulations for an existing wholesaling and storage building located at 620 Clark Avenue, for “Viking Processing Corporation Addition/Expansion,” with the conditions as shown and with amendments to Conditions 4, 5 and 20, as follows:

• Section 3. Decision, Condition 4 of Resolution No. 9639, to be amended to reflect that no roof shall be required for the trash enclosure;

• Condition 5 to be amended with the developer, the City and the Fire Protection District to work out the request to change the mailing address for the property from Clark Avenue to Garcia Avenue;

• Condition 20 to be amended with the Engineering Department and the applicant to work out the best solution for the area along the north edge of the existing open drainage swale located on the south side of Clark Avenue.

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

Ayes: Commissioners Dolojan, Garcia, Harris, Ohlson, Thomas, Tumbaga, Ramirez

Noes: None

Abstain: None

Absent: None

STAFF COMMUNICATIONS:
Ms. Ayres reported that the Planning Commission meeting of May 23 would involve three items, not those as shown on the Tentative Schedule. She also reported that the Mehran Restaurant had pulled building permits for the installation of the windows which were anticipated to be installed within the next week. Ms. Ayres understood that the required sign for the Mehran Restaurant would be installed in the next week as well.

Ms. Ayres added that staff had been working with the applicant for Universal Auto Repair located on the northwest corner of West Tenth Street and Harbor Street to address the fact that the business had been operating a use inconsistent with the approved use permit. The applicant had cleaned up the site and had added landscaping to the front of the property. Staff was holding off on the possible revocation of the use permit given the efforts that had been made. She encouraged Commissioners to view the site.

Ms. Ayres also reported that she had met with Fort Knox Self-Storage facility representatives. She understood that they would be removing the cyclone fence and might have a plan for a freestanding sign at the front of the property in agreement with the adjacent property owner which would allow the removal of the banners on the top of the building.

Ms. Ayres reported that the recycling storage box at the Savemart Shopping Center had been moved to the front of the center, consistent with the approval for the site. The abandoned vehicle that had been left adjacent to the recycling facility had been removed.

As to the status of the senior apartments along Kirker Creek, the apartment units were in the process of being inspected. Issues related to mold would have to be worked out between the developer and the tenants.

Ms. Ayres also reported that a joint City Council/Planning Commission Hillside Guidelines Workshop had been scheduled for June 19 at 6:00 P.M., at which time draft guidelines were to be presented.

Further, a Planning Commission Appreciation Dinner would be scheduled in June. Also, the City Manager had offered Commissioners a free polo shirt advertising Team Pittsburg.

**COMMITTEE REPORTS:**

Commissioner Ohlson reported that the TRANSPLAN Committee would next meet on Thursday, May 11, 2006.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Harris reiterated the need for a sidewalk along Garcia Avenue where school
children routinely walked around a fence on the street where there was no sidewalk. He also noted that with the completion of the church at California Avenue, the area past Harbor Street should be reviewed for a sidewalk as well.

Commissioner Harris also expressed concern that the mechanical unit on the roof of the building at Central Avenue and Solari Street remained visible and that the wall on the same property facing Central Avenue needed a more prominent cap.

Mr. Hurtado advised that staff had sent a letter to the property owner as to the property along Garcia Avenue, which he understood would be moving forward to install a sidewalk.

Ms Ayres advised that staff had contacted the applicant regarding the building at Central and Solari and the need to install a more substantial cap on the wall.

Commissioner Dolojan reported that the traffic signal at Piedmont Way was not clearly visible to traffic, particularly from the west until traffic was right at the light, creating a potential safety hazard.

Commissioner Tumbaga inquired who regulated the residential service for the garbage company, to which Ms. Ayres reported that the service was regulated through the City’s franchise agreement with the garbage company. Any complaints should be forwarded to the City’s website, which would then be forwarded to the appropriate party.

Commissioner Ohlson reported that his neighbor was concerned that another neighbor was renting rooms. He inquired whether or not the City regulated such uses.

Ms. Ayres explained that a property owner was not allowed to rent separate rooms as a boarding house. She recommended that the concern be forwarded to the Planning Department to determine whether or not code enforcement might be required.

Commissioner Harris noted that the PG&E right-of-way on California Avenue needed weed abatement. He also spoke to the traffic patterns into the shopping center where Jack in the Box was located along California Avenue. He expressed concern with the potential for traffic accidents at that location. He expressed the willingness to meet with the Senior Civil Engineer at the site to discuss his concerns.

At the request of Commissioners, Ms. Ayres reported that the Land Use Subcommittee had recently held a field trip with representatives of the developer of San Marco Meadows aka the Montecito project and the Faria Ranch area to view land which would be governed by future Hillside Guidelines. The subcommittee had also held a recent meeting on the Civic Center Master Plan with discussions related to the preservation of the existing court system.
Ms. Ayres otherwise commented that the Planning Commission had approved a use permit for the Faith Worship Center at Harbor Street. The applicant now desired to move the building to the back with the parking lot at the front. Staff was working with the applicant on a new site plan and intended to approve the change as substantially the same, since the change involved only a flipping of the site plan.

Commissioner Harris suggested that the change to the site plan would actually enhance the street.

Chairperson Ramirez reported that he had attended the dedication of JFK University on May 4 which had been well attended.

In response to Commissioner Tumbaga as to the status of a recently approved Habitat for Humanity project on Fourteenth Street, Ms. Ayres understood that staff had been working with Habitat for Humanity which had changed architects. She understood that the issue regarding the size of the bedrooms had been resolved. As to the status of the Hampton Inn, she understood that permits had been pulled and the project was moving forward.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:16 P.M. to a regular meeting of the Planning Commission on May 23, 2006 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

MELISSA AYRES, Secretary
Pittsburg Planning Commission