A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ramirez at 7:00 P.M. on Tuesday, March 14, 2006 in the Council Chambers, City Hall, Civic Avenue, Pittsburg, California.

ROLL CALL:

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

Absent: None

Staff: Planning Director Melissa Ayres, Assistant Planner Leigha Schmidt, and Assistant Planner Kristi Vahl

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, March 10, 2006.

PLEDGE OF ALLEGIANCE:

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

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

PUBLIC HEARINGS:

Item 1: California Restaurant. AP-06-304 (UP)

Application by Maria Barrios requesting a use permit to operate a restaurant with drive-through service in a 2,250 square foot building, located within an existing shopping center. The building is located at 2941 #D, Harbor Street and is zoned CC (Community Commercial) District. APN 088-300-021.

Assistant Planner Kristi Vahl presented the staff report dated March 14, 2006. She recommended that the Planning Commission adopt Resolution No. 9627, approving AP-06-304 (UP), with the conditions as shown.

Commissioner Garcia referenced Condition 11 of Resolution No. 9627, which would require the applicant to repaint the building and roof to match the surrounding buildings. He reported that he had recently gone by the building and could see that it had been repainted a beige color which he found to be attractive and acceptable. As a result, he recommended that condition either be revised or be eliminated. He otherwise agreed with the staff recommendations, particularly related to the landscaping.

Commissioner Ohlson spoke to Condition 10 and requested that the first sentence of the condition be stricken and that the second sentence to be modified to read:

10. A new solid metal fence gate shall be provided for the trash enclosure to replace the existing chain link fence.

Commissioner Ohlson thanked staff for the inclusion of conditions for the provision of bicycle parking.

PUBLIC HEARING OPENED
PROPOSPENT:

MARIA BARRIOS, 2420 Yorkshire Drive, Antioch, affirmed, in response to the Chair, that she had read and was in agreement with the conditions contained in the resolution of approval.

Commissioner Ohlson inquired why the hours of operation for the dining room were different from those of the drive through window.

ORLANDO SANTOVAL identified himself as Ms. Barrios’ brother. He explained that the dining area would be closed two hours prior to the closure of the drive through window to allow employees to start cleaning prior to the close of business.

Chairperson Ramirez pointed out that most fast food restaurants had similar hours of operation for the dining room and drive through window.

In response to Commissioner Harris, Ms. Barrios reiterated that she understood and intended to comply with the conditions of approval as stated, in particular those conditions related to the landscaping and trash enclosure.

JOSE SANTOVAL identified himself as another brother of Ms. Barrios. He explained that the restaurant would be a family business and that he had experience in the restaurant industry. He reiterated that the dining room would be closed prior to the drive through window to allow the dining area to be cleaned prior to the close of business. Based on his experience, some cities had required dining areas to close earlier to avoid problems.

As to the hours of operation, Planning Director Melissa Ayres advised that would be up to the applicant, although the resolution of approval had shown the hours of operation based on the applicant’s submittal application. If the applicants desired to change the hours of operation for the business that would have to be clarified and reflected in the resolution of approval.

Ms. Barrios stated that she had no desire to change the hours of operation for the business which would be as shown in her application.

Commissioner Williams-Thomas welcomed the applicants to the City. As to the food served through the drive thru window and in the dining area, she verified with the applicants that breakfast, lunch and dinner would be served at all hours.

OPPONENTS: None

PUBLIC HEARING CLOSED
On the discussion of the recommended conditions of approval, Ms. Ayres recommended that Condition 11 be eliminated to avoid confusion related to the repainting of the building.

MOTION: AP-06-304 (UP)

Motion by Commissioner Garcia to adopt Resolution No. 9627, approving AP-06-304 (UP), a Use Permit to establish a restaurant with drive-thru service at 2941 "D" Harbor Street for "California Restaurant", with the conditions as shown, with the modification to Condition 10 as shown and with the elimination of Condition 11. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

Commissioner Garcia stated that while he recognized that the next issue had nothing to do with the subject applicants; he reported that there was an existing recycling storage locker in the shopping center situated close to the business, which was unattractive. He understood that the shopping center had originally been approved to allow the use of recycling domes on the property. He requested that the recycling storage locker be relocated to the rear of the center or be moved to the south adjacent to the south end exit from the shopping center. He asked staff to review the original conditions for the center and that staff contact the property owner regarding this issue.

Item 2: Mechanics Bank Sign Exception. AP-06-314 (SR)

Application by Robert Rogers of Barber Sign Company requesting approval for sign area exceptions to the Old Town Design Guidelines and Principles for two 22.7 square foot wall signs. The applicant includes a request for approval of a five square foot hanging sign. All signs will be located at 695 Railroad Avenue in the Downtown (D) District with a Downtown Commercial land use designation. APN 085-172-008.

Assistant Planner Leigha Schmidt presented the staff report dated March 14, 2006. She recommended that the Planning Commission adopt Resolution No. 9628 approving AP-06-314 (SR), with the conditions as shown.

PUBLIC HEARING OPENED

PROPONENT:

ROBERT ROGERS, Barber Sign Company, 600 Pennsylvania Street, Vallejo, stated that
he had read the conditions of approval and was in agreement with those conditions.

Mr. Rogers commended staff for working with him on the proposal. He also took the opportunity to introduce Brian Hodges, Vice-President/Director Mechanics Bank.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-06-314 (SR)

Motion by Commissioner Tumbaga to adopt Resolution No. 9628, approving AP-06-314 (SR), Sign Area exceptions to the Old Town Design Guidelines for two 22.7 square foot wall signs for “Mechanics Bank Sign Exception, AP-06-314 (SR), with the conditions as shown. The motion was seconded by Commissioner Williams-Thomas and carried by the following vote:

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

STAFF COMMUNICATIONS:

1. Notice of Intent (to review/approve project at staff level):
   a. Proposed Residential Addition – 3800 Briarcliff Drive (BP 06-48)

Ms. Ayres presented the staff memorandum dated March 14, 2006 on the Notice of Intent item for a proposed Residential Addition at 3800 Briarcliff Drive. She advised that staff had made a number of recommendations for revisions to the addition and had at this time recommended denial of the building permit on the basis that the addition was sub-standard in design, with the addition being poorly integrated into the existing home.

Ms. Ayres stated that the applicant had been directed to have the project architect create a better integrated design with the addition pulled more into the existing home. The applicant was also advised of the right to file an appeal of the staff decision. Alternatively, per the Municipal Code, the Planning Commission was authorized to call up such items for Commission consideration. If the applicant were to appeal the item, there would be a $1,000 appeal fee. If the item were called up by the Planning Commission it would delay the decision on the building permit by several weeks.

Ms. Ayres suggested that if the Planning Commission found that the design was an
acceptable community standard, staff would sign the building permit, although staff was of
the opinion that the design was unacceptable at this time.
Chairperson Ramirez requested that the item placed on the next meeting agenda for
consideration.

Commissioner Harris spoke to the area over the existing garage and the roofline, which
consisted of a Queen Anne design. He suggested that the addition should have the same
design.

Ms. Ayres explained that staff had made the same recommendation to the applicants as
well and had recommended that the window trim be carried around the back. At this time,
the applicants had refused to continue the window trim.

Commissioner Harris reiterated his recommendation and suggested that if the applicants
were unwilling to make those changes, he would not support the project.

Ms. Ayres clarified that with the way the home was situated on a cul-de-sac, the side
elevation of the addition would be visible. She also understood that the property was
located in an older neighborhood.

Commissioner Ohlson suggested that staff be directed to indicate to the applicant whether
or not the project would be supported, and allow the applicant to appeal the staff decision
rather than require the applicant to appear before the Commission. He did not want to
override staff and he recommended that the Commission support the staff decision.

Commissioner Harris suggested that if the project could be resolved at a staff level that
would be preferable, although if the applicant was not agreeable to make the suggested
changes, the applicant could then appeal the staff decision and the item would then be
submitted to the Planning Commission for consideration.

Commissioner Garcia recognized that the appeal fee was $1,000. Due to that expense, he
encouraged that the issue be resolved at the staff level. He noted that the property was
located off of Stoneman Avenue and backed up to the Christian School in a cul-de-sac
location. If the applicant could not resolve the issues with staff, there was always the
opportunity to appeal the staff decision.

Ms. Ayres understood that the Planning Commission supported the location of the addition
subject to minor architectural changes.

Commissioner Williams-Thomas questioned whether or not the neighbors had expressed
any concerns with the addition which she understood would be the only two story home in
the neighborhood.

Ms. Ayres explained that the Municipal Code did not require that the neighbors be notified
of the addition. Commissioner Williams-Thomas understood that staff would continue to pursue the project with the applicant and if for some reason the property owner was not agreeable to the suggested revisions, the applicant would either have to change the design or appeal the staff decision.

Commissioner Tumbaga inquired whether or not there were other two story residences in the neighborhood, to which Ms. Ayres advised that there were no two story homes in the subject area. She was uncertain whether or not there were any other two story homes in the neighborhood itself.

Commissioner Tumbaga agreed with the need for consideration since the proposal would represent the only two story home in the neighborhood and she agreed that the design stood out and was not compatible with the existing neighborhood.

Commissioner Harris reiterated that the Queen Anne design, or a straight hipped rather than a gabled roof could be options to consider.

As to who had prepared the design, Ms. Ayres understood that the homeowner had not designed the addition.

Commissioner Ohlson wanted the addition to integrate into the substance of the home with sheer walls and be moved over given that the home would be in existence for some time.

Commissioner Garcia suggested if that was the case that the applicants might as well demolish the existing home and build a new home due to the engineering that would be involved with such a recommendation.

Commissioner Harris noted that the City’s Inspectors would guide the property owner on what needed to be done.

Ms. Ayres understood that Commissioners would accept the second story addition at the rear of the home as long as the applicants added more architectural detail, as discussed by staff and the Commission. She understood that the Planning Commission was not asking that the item to be called up to the Commission for consideration at this time unless the applicants appealed the staff decision.

On the discussion, Ms. Ayres understood that the Commission would like to have the opportunity to call up the item so that the applicant did not have to pay the appeal fee. Staff would continue to negotiate with the applicants. If no agreement or resolution could be achieved, the project would be submitted to the Commission, as if the Planning Commission had called up the item, to prevent the requirement for the appeal fee.
Ms. Ayres otherwise reported that the League of California Cities Conference was scheduled in the next week in Monterey.

**COMMITTEE REPORTS:**

Commissioner Garcia reported that the recent TRANSPLAN meeting had been canceled, although the other transportation meetings had been held as scheduled.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Harris expressed his disappointment with the time involved with the Caltrans work along Railroad Avenue. He was concerned with the financial impacts to the businesses along Railroad Avenue that had been affected by the roadwork. Also, the overpass along Railroad Avenue where a 10-foot sidewalk was located did not have a hand rail or a guard rail on both sides of the road for the children walking across. He noted that while efforts had been made to contact Caltrans to inquire of the status of much of the work, no information from Caltrans had been provided.

Commissioner Williams-Thomas inquired whether or not KB Homes had been approved for a variance for the homes along Leland Road given that the homes were very close to one another.

Chairperson Ramirez explained that the project had originally been approved by the Planning Commission with six feet between the homes.

Commissioner Ohlson asked that the Planning Commission and the City encourage recycling efforts. As to the recycling locker located in the Save Mart Center, earlier discussed, he suggested that if the facility were moved behind the building it could impact the lives of those who used the recycling facility.

Commissioner Garcia supported the relocation of the storage locker to the rear or to the south of the center. He reiterated his request that staff review the original conditions of approval since initially three domes had been used for the recycling materials, not a large storage locker. If the existing storage locker was moved to the rear of the center, it would not negatively impact anyone, even if bicyclists or pedestrians walked to the back of the center to use them. He emphasized that he had not suggested that the recycling efforts in the center be discontinued.

Ms. Ayres stated that staff would contact the property owner of the shopping center to advise of the situation.

Commissioner Garcia referenced a letter he had received from Senator Tom Torlakson regarding SB 1556 with respect to the maintenance of trails and the Great California Delta Trail System which would surround the entire Delta with hiking and bicycle trails. The
Planning Commission was being asked to write a letter encouraging the Senate to pass the proposed legislation.

Ms. Ayres noted that the Council had already adopted a resolution of support for the trail. The Chair of the Commission could send a letter of support as well. She recommended that the matter be agendized for the next meeting for consideration since formal action could not be taken at this time.

In response to Commissioner Tumbaga, Ms. Ayres noted that the proposed legislation would not impact the plans for the Marina Master Plan.

Commissioner Garcia also reported that he had been contacted by residents of Highland Ranch regarding the speed on Ventura Drive south of Buchanan Road. He understood that a traffic study was to be conducted for the area, although he recommended in the interim that the City install temporary 25 MPH signage along Ventura Drive and consider stop signs at the key intersections along Ventura Drive north and south.

Commissioner Ohlson inquired of the minimum size of substandard lots permitted in the City.

Ms. Ayres explained that the smallest subdivision lot size in the Single Family Zoning District was 6,000 square feet, although there had been a trend over the years for single family small lot developments. Approximately two years ago, the City Council and Planning Commission had held a joint workshop on the issue. The City Council at that time had determined that no size was too small and preferred to review projects on a case by case basis.

Ms. Ayres added that staff would be coming back to the Planning Commission with a review of certain single family districts. Staff would not recommend anything smaller than 3,500 square feet in that anything smaller would require a Planned Development District. The smaller lots were an option for homeownership as opposed to a condominium since the smaller lots could then be affordable by design.

Commissioner Harris spoke to the area of Stoneman Avenue near the 7-Eleven where the traffic calming devices which had been installed to prevent traffic from turning left into cross traffic had been damaged or was in disrepair. Another set of traffic calming devices along Linscheid Drive have also been damaged. He recommended that a concrete shoulder be considered or that a design be considered where the traffic bumpers were not removed. He also referenced the area along Yosemite Drive near the school where yellow traffic calming devices had been installed. He suggested that such traffic calming device could be an option for the area of Stoneman Avenue as well.
Commissioner Harris also commented on the fact that large trucks had been parking along Garcia Avenue in the middle of the street to unload and were impacting traffic. Trucks were also parking along the side of Garcia Avenue making it difficult for through traffic. In addition, along his street and other streets in his neighborhood, trucks had been parked overnight. He also identified a fence on Garcia Avenue that had encroached into the area of the sidewalk. He sought a sidewalk in the area from Garcia Avenue to Harbor Street and asked that staff review that property to determine whether or not the 50 percent or more requirement would trigger required improvements.

Commissioner Ohlson also spoke to the area of Stoneman Avenue at Loveridge Road and advised that during a Community Advisory Commission (CAC) meeting two years ago, the City’s Traffic Engineer had reported that he had desired a concrete curb in the area although that could not be done due to a lack of funds.

Chairperson Ramirez inquired of the status of the Ferguson application, to which Ms. Ayres reported that to date staff had no response, although it was her understanding that a response from Ferguson’s corporate office could take some time.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 7:56 P.M. to a regular meeting of the Planning Commission on March 28, 2006 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

MELISSA AYRES, Secretary
Pittsburg Planning Commission