A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ralph Ramirez at 7:00 P.M. on Tuesday, July 26, 2005 in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, California.

Chairperson Ramirez stated for the record that during the Planning Commission meeting of July 12, 2005, Commissioners Garcia and Harris had been scheduled, but not sworn into office at that time due to the absence of the City Clerk. He asked that each Commissioner identify the date he had been sworn into office.

Commissioner Garcia reported that he had been sworn into office, either on Monday, July 18 or Tuesday, July 19 by Deputy City Clerk Alice Evenson. Commissioner Harris reported that he had been sworn into office on Tuesday, July 19, by Deputy City Clerk Alice Evenson.

**ROLL CALL:**

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

Absent: None

Staff: Planning Director Melissa Ayres, Associate Planner Dana Hoggatt, and Senior Civil Engineer Alfredo Hurtado.

**POSTING OF AGENDA:**

The agenda was posted at City Hall on Friday, July 22, 2005.

**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:**

a. Minutes – July 12, 2005

**MOTION:**

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

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

Chairperson Ramirez stepped down from the dais due to a potential conflict of interest with public hearing Item 1, Mariner Walk Residential Subdivision, AP-04-126, since he owned property within 300 feet of the project site. Vice Chairperson Dolojan chaired the meeting at this time.

**PUBLIC HEARING:**

**Item 1: Mariner Walk Residential Subdivision AP-04-126 (GP, PD/RZ)**

Application by Donald Reber of The Olson Company requesting: 1) an amendment to the General Plan Land Use Diagram in order to change the designation of five acres currently designated as Park to Downtown Medium Density Residential; and to change 3.8 acres currently designated as Downtown Medium Density Residential to Park and amend the Open Space, Youth and Recreation Element to reflect this change accordingly; 2) a rezoning of the 15.6-acre site to PD (Planned Development) District and approval of a PD plan in order to allow development of a 3.8-acre public park, a clustered single-family development of 123 units with public roads. and a 1.6-acre privately-maintained linear parkway. The property is partially developed with a five-acre park and is located west of Herb White Way and north of West Eighth Street; APNs 085-130-006, 085-143-001 through -006, 085-142-001 through -006, 085-141-002 through -005, 085-141-009 and 085-141-007.
Planning Director Melissa Ayres reported that she had received a number of telephone calls from Commissioners regarding the fact that the site was in the process of being graded. She understood that some time ago the concept of switching the park from its current location to the southern end of the vacant lot had been presented to the Recreation Commission and to the immediate neighborhood. The Recreation Commission had approved a preliminary design concept for the park in the proposed location.

During the most recent City Council meeting, Ms. Ayres advised that the Council had authorized the developer right of entry onto the property to build the park on the southern end of the project site since the grading season was always short and the Disposition and Development Agreement (DDA) between the developer and the City required that the park be constructed and operational before the existing park was destroyed. With that in mind, the City Council had authorized the developer right of entry for the preliminary grading for the park. She added that the developer had received a grading permit for Phase One of the construction of the new park.

Ms. Ayres understood that the developer was working to submit Phase Two rough grading to show how much fill would be taken from the Phase Two middle portion of the project site and placed onto the park site to make it a complete park. The map would delineate the wetlands where the developer would not be allowed until meeting all environmental clearances for that area.

Commissioner Garcia pointed out that approximately two thirds of the property had been graded above and beyond what was required for the new park.

Ms. Ayres understood that the dirt was needed from Phase Two, the middle piece, in order to complete the park.

Commissioner Harris questioned whether or not any other developer could request a grading permit prior to project approval. He emphasized that the plan was only now before the Planning Commission and had not been approved. He questioned moving forward without approval of the subdivision. He was displeased that the Planning Commission had been left out of the process.

Ms. Ayres clarified that the park was a permitted use and had been approved by the Recreation Commission under its purview, not by the Planning Commission. The developer was not moving forward with the subdivision since it had not yet been approved. She characterized the situation as the developer building a park for the City as a City project.

Ms. Ayres reiterated that the Recreation Commission had approved the preliminary concept for the park.
The City owned the property, the developer was building the park for the City, and it would be a public park to be identified in the details of the DDA between the developer and the City, which the City Council would ultimately approve.

Commissioner Harris reiterated his concerns that the development of the park and grading was permitted without approval of the project. He questioned why the Planning Commission was being bypassed and he suggested that the project should have come before the Planning Commission before any work had commenced. He added that a watering truck should be used at the grading site on a regular basis and he asked that be done.

Commissioner Williams understood the concerns although she concurred with staff’s understanding of the facts. Having been a member of the Recreation Commission when the park had been approved, she clarified that the project had been submitted to the Recreation Commission as a request for a park as part of a concession for the development. The park had not been submitted to the Planning Commission for review since it was under the purview of the Recreation Commission. The park had been approved by the Recreation Commission and the City Council about a year ago.

Commissioner Garcia understood that the City was not paying for the park but that the developer was building the park for the City as part of the project since the City owned the land.

Ms. Ayres explained that the financial details would be included in the DDA which had yet to be presented to the City Council.

Commissioner Garcia also questioned the situation and stated it appeared that the project had already been approved. He suggested that the developer would not have invested money into the park unless he was confident that there would be a project. He emphasized that the grading had gone far beyond what was required for the new park which he understood was the reason the development had been recently shut down. He also understood that the developer already had bids out for the model homes.

Ms. Ayres recommended that the developer clarify those concerns during his presentation.

In response to Commissioner Ohlson, Ms. Ayres explained that the Commission was not being asked to make any decisions at this time since the intent was for the project to be discussed in a study session format, with the Commission to provide input on the design of the subdivision, the streets and the home designs. Ultimately the Planning Commission would make a recommendation to the City Council on the land use. The Council would make the final decision on the General Plan Amendment, Planned Development and Rezoning.
Commissioner Harris provided some history to the property behind St. Peter Martyr School where a park was to have been developed for use by the school, although that had ultimately not occurred. He questioned whether or not the school would be able to use the new park prior to anyone else as had been intended years ago.

Ms. Ayres was uncertain of the agreements on the use of the property in the past, although she was aware that the school had been actively involved in discussions related to the location of the current park.

Commissioner Harris asked staff to clarify that issue when the item returned to the Commission.

Ms. Ayres understood that there was no written agreement to that effect. At this time, she was uncertain whether or not the school desired exclusive rights to daytime use of the park.

Commissioner Harris understood that there was a written agreement on record. He again asked staff to clarify and research that issue. He too reiterated his concern that grading has been allowed and had gone beyond what was required for the development of the park.

Ms. Ayres reiterated that the requests for a General Plan Amendment, Rezoning and Planned Development would ultimately be approved by the City Council and would involve a first and second reading of the ordinance, which would become law after 30 days. It would therefore be the rainy season before the developer had the opportunity to start the development of the subdivision. She also noted that the City Council received copies of Planning Commission minutes and would therefore be apprised of any concerns raised by the Planning Commission.

Associate Planner Dana Hoggatt presented the staff report dated July 16, 2005. She recommended that the Planning Commission open the public hearing and accept testimony, and then continue the public hearing on the General Plan Amendment and Planned Development District Rezoning Application No. 04-126 to August 9, 2005.

Commissioner Garcia inquired whether or not Herb White Way would be widened from Fifth to Eighth Streets where it could accommodate bicycle and vehicle parking.

Senior Civil Engineer Alfredo Hurtado explained that the developer would be widening the street from Bay Side Drive to Eighth Street and that the City would be widening Herb White Way south of the project to 10th Street as part of a pending CIP project.

Commissioner Garcia inquired whether or not the developer would pay a fair share of the costs for the improvements from Eighth to Tenth Streets.
Mr. Hurtado was uncertain of the financial details in the DDA although the developer would be subject to payment of associated traffic mitigation fees.

Commissioner Garcia spoke to the signal light on Tenth Street and Herb White Way and noted that unless it was installed at the time of the subdivision it might not be provided. As such, he recommended that the traffic signal be installed at the time of the development of the subdivision and that it be a condition of approval. In addition, he recommended that the traffic mitigation fee generated by the project be dedicated towards the cost of that signal or that the developer be credited any fees that would be put towards the project.

Commissioner Garcia also spoke to the proposed sound wall which had been planned for Phase Two. He inquired if that meant that the entire sound wall would not be installed until the second phase of the project.

Ms. Hoggatt explained that the sound wall would be installed around the school campus during Phase Two and prior to the start of home construction.

Commissioner Garcia noted that when Herb White Way had been realigned the school had been promised replacement landscaping. With the proposed new development which would include new landscaping, he emphasized that issue needed to be addressed.

Commissioner Ohlson spoke to page one of the developer’s plans, Section C, regarding the widening of Herb White Way. He expected the plans to be followed and the street to be widened along Herb White Way between Marina Boulevard and Eighth Streets. He also referenced the area of West Fourth Street where it connected to Bay Side Drive and noted that the curb and gutter on the curb return at the curve had been installed incorrectly and did not permit the striping of a bicycle lane. He added that both the 1988 and 2001 General Plans had called for Bay Side Drive to be a bicycle facility. He asked that the incorrectly installed curb return be removed and corrected as required, five feet back to the west from its current location.

Ms. Hoggatt understood that the area in question was off-site of the project site and was on the northeast corner of the St. Peter Martyr School campus. Along the property frontage curb and gutters would be installed in accordance with current standards.

Commissioner Garcia understood that Herb White Way would be wide enough to handle parking on the street in addition to bike lanes.

Ms. Hoggatt affirmed that as shown on the plans, a cross section of Herb White Way had shown a parking lane and a bicycle lane.

PUBLIC HEARING OPENED
PROPONENT:

DONALD REBER, The Olson Company, 3130 Crow Canyon Place, Suite 210, San Ramon, stated that The Olson Company was pleased to again work with the City of Pittsburg on a second project in the community to redevelop and revitalize the downtown. He commented that the property had been evaluated by The Olson Company for the past four years. He described the property as challenging with the primary issue being the soil conditions since the area was marshland with deep Bay mud which was difficult to develop and where a lot of fill had accumulated over the years.

Mr. Reber commented that due to the challenging soil conditions the viability of the project had proved to be difficult. Working with City staff from various City departments, he explained that the intent was to have a design that would maximize the land value for the Redevelopment Agency and the City. He commented that there was no problem with the soil in the area of the park.

While the property had originally been considered for a town home development, due to the inherent difficulty in the value of town homes which were expensive to build and which sold for less than a single family detached home, it had been determined that a single family detached project would provide more value and increase the value of the land for the City. The park had been placed to minimize the cost of the remediation of the poor soil. Rather than being required to excavate 20 feet of dirt, only three feet would have to be excavated saving a lot of money and increasing the value of the property.

Mr. Reber commented that the issue of the park and its size had been discussed with Park and Recreation staff whose main concern had been the replacement of the park in kind. Given the configuration of the area, he stated it would not be possible to provide a park of 5.2 acres in size, although all of the amenities could be provided in kind. It had also been determined that with an approximate acre of land, a trail with benches could be developed on Homeowners Association (HOA) property which would have a public easement over the top and which could be used as a public park but be maintained by the HOA.

Since the new park would be smaller in size, Mr. Reber stated that the costs of maintenance for the City would be reduced. Also, the acre of HOA land accessible to the public would be privately maintained. Additionally, the Recreation Commission had determined that the new park location was superior to the existing location since the current park was pushed in the back, buried by the power plant and difficult to police. By bringing the park out in the open it would be more desirable for the neighborhood, easier to police and possibly result in lower maintenance costs. The new location would also connect and provide a nice ending point for the linear park along Eighth Street.

Mr. Reber explained that a neighborhood meeting had been held and attended by those who used the neighborhood park on a regular basis and where it had been stated that the
primary use of the park was for walking dogs in the morning. As a result, a trail system would be created to connect to the linear park. The current park had a trail continuously around its perimeter and although that was desired for the new park, it would not be possible due to an existing berm along the edge of the field. Staff desired to maintain the integrity of the berm since it provided some softening and visual relief from the substation and power lines. He clarified that the trail must meet Americans with Disabilities Act (ADA) requirements, which would not be possible in the berm area.

Mr. Reber added that the developer had met with representatives of St. Peter Martyr School to discuss their access. An access point would be provided through the wall for school children to be able to walk from the school through the park.

Mr. Reber described the project design as a series of five homes surrounding a private auto court, with floor plans ranging from 1,600 to 2,100 square feet in size. The units had been designed with flexible space inside for a three or four bedroom home. Every home in the subdivision would have the ability to be four bedrooms. All units would be two stories with a two car garage. The HOA would maintain everything on the outside of the homes with continuous green space throughout. The design would provide all front doors out on the street with the garages hidden behind the homes. There were some instances where the homes would be required to be pulled out of the cluster, for configuration reasons, particularly along Herb White Way. In those situations, there would be alternative plans that could be chosen. He stated that the same would occur on the corner lots.

Mr. Reber spoke to the concerns with respect to grading and apologized to the Planning Commission. He agreed that the Commission should have been notified of that issue. He noted that the developer was moving forward at its own risk both financially and in terms of timing with respect to grading. No pads would be cut or street improvements conducted prior to approvals. He also acknowledged that if the plan, as proposed, were to be changed, the developer would be out thousands of dollars. He explained that was a risk the developer was willing to take in order to potentially have homes ready by 2006.

Mr. Reber added that there were some considerations that had taken some time, including a fault investigation which had caused a six month delay. Again, the developer determined that it was worth the risk to do some work now before the wet season occurred in order to deliver homes in 2006. He recognized that the subdivision had not been reviewed or approved. He reiterated that the developer was willing to take that risk.

Mr. Reber also spoke to the issues surrounding the school and the use of the existing park. He advised that the developer had conducted an exhaustive title search and could find no records indicating a deed restriction or CC&R’s limiting the use of the park. If there was some agreement as to the use of the park by the school, he would have to research that issue further.

Speaking to the improvements along Herb White Way, Mr. Reber noted that the road
would be widened to a point to allow parking and a bicycle lane on both sides. The existing curb and gutter did not meet current street standards and would be redone to meet current standards. A traffic signal had been planned at the intersection. The developer had an obligation to contribute towards the traffic signal which could be installed with the project and the developer credited back on the traffic fees, or whatever was determined to be fair by City staff.

Mr. Reber further spoke to the condition of the school frontage and explained that the developer had met with the Principal and other staff members and had learned that in 1988 when more development had occurred in the area, everything had been raised across the street from the church so that the grade did not match. The developer had no problem taking care of that work for the City in response to promises made in 1988, with said work to repair the grade, drainage, move the school signage and statuary, create a driveway and provide landscaping during the development of the subject project.

Commissioner Harris commented that having been on the school board for nine years, he was very familiar with the street and its conditions. He commented on the fact that parents took care of the school and the school statue. He recalled that there had been a gentleman’s agreement between a former City Manager and a past City Council and the school board where the park could be used by the school children up to 3:00 P.M. He questioned whether or not the school would be able to use the park during school hours given that it would be a public park. He also questioned whether or not off-street parking would be provided.

Mr. Reber reiterated that parking would be on both sides of the public streets. The garages could accommodate two vehicles, up to two vehicles could park on the driveways with street parking along the frontage. The street would be developed in accordance with City standards and would be 36 feet from curb to curb.

Commissioner Harris also questioned the lack of details on the homes, although he recognized that it was a cluster development.

Commissioner Garcia referenced Models 1A, 1B and 1C where there appeared to be a lot of side walls with the two story units, with no breaks. He recommended that area be broken up with coping or some other architectural element. He was particularly concerned that Model 1C be modified to break up the walls between the windows and the bottom floors. He otherwise recognized that the City did not have cluster development and he was not opposed to the way it had been configured on the property.

Commissioner Garcia also commented on the issue of the wetlands where the park was located. He spoke to the past history of the area which had homes at one time and where the ground had been compacted at that time.

Since the grading had commenced, Commissioner Harris requested that the site be
watered on a regular basis, particularly on the weekends, since there was wind in the area with dust blowing all over. He cited the development at the former St. Vincent de Paul property as another site that needed to be watered regularly. He also referenced the back of the school where the park had previously been located and inquired whether or not some of the dirt would be graded from that area.

Mr. Reber noted that they were not touching that area at all since there were some wetlands that had been delineated and which they could not touch for regulatory reasons. He also expressed his agreement with the City Council that the new park must be open before the existing park was demolished. The new park must also be open before the rest of the land was purchased by the developer. He added that an existing siltation pond created some low spots and met some of the criteria of wetlands.

Commissioner Ohlson referenced Page 8 of 9, paragraph three of the July 26, 2005 staff report, and the reference to the majority of the homes being built outside an existing floodplain. He asked the developer to clarify that issue.

Mr. Reber explained that as noted in the staff report, the flood map was due to be changed and would change the floodplain status, although the developer was still required to build at a certain elevation to be out of the floodplain elevation even when changed. The developer had been required to conduct an extensive floodplain and hydrology study and would contribute towards the required improvements in that case.

Mr. Hurtado noted that a pump station was located at the PG&E entrance to the west. He acknowledged that the entire area was low with the water pumped to the Bay area. The project engineer was doing a study to upgrade the pump in accordance with City projects in the downtown area. The FEMA map would be changed, although the applicant still had to meet the requirements of the floodplain map. The lowest area was where Eighth Street met Herb White Way where a small portion was in the flood zone. As a result, whatever structure may be located in that area would have to be brought up, with the developer to file for a map correction with Contra Costa County Flood Control.

Commissioner Ohlson expressed appreciation to staff for the provision of the aerial photo of the site which had been helpful and which he recommended as a helpful tool for all future developments.

Commissioner Williams was pleased to see that the developer had not deviated from the original plan approved by the Recreation Commission. She verified with the developer that the soil problems would be addressed.

Commissioner Ohlson expressed concern with the corner of Fourth Street and Bay Side Drive, which had inadvertently been built farther out into the street than it should have been. Commissioner Ohlson affirmed with the developer that issue would be worked out with the City’s Traffic Engineer and would be resolved to function properly.
Vice Chairperson Dolojan requested in the future that the Planning Commission be given the courtesy of being notified of issues, such as the grading which had been allowed for the site prior to the approval of the development.

INTERESTED SPEAKERS:

RALPH RAMIREZ, 180 Lois Avenue, Pittsburg, clarified that he was speaking as a private citizen. He spoke to the area of Eighth Street and Herb White Way and advised that he owned property on West Eighth Street which for years had experienced problems with flooding. He noted that a pump had been installed at the corner of Eighth Street and Herb White Way and that the area had experienced wet soils during high tide.

Mr. Ramirez also inquired whether or not the construction of the homes adjacent to the school as part of Phase Two would include a wall between the homes and St. Peter Martyr School.

Ms. Hoggatt explained that the developer would be required to build an 8-foot tall concrete masonry wall, as shown on the plans. She verified that would be required prior to the construction of the homes.

Mr. Ramirez also spoke to the walkway on the west side of the project where large oil tanks were located. He questioned whether or not a wall would be built between the tanks and the walkway.

Ms. Hoggatt advised that the plans had shown a landscaped berm where there would be a difference in grade elevation. A 6 foot high wooden fence had been proposed along the outside of the landscaped corridor.

Mr. Ramirez preferred to see a wall along the walkway shielding the oil tanks and to provide some privacy. He questioned whether or not the two way street on the west side of the corner of West Eighth and Beacon Streets would be widened to provide the nine parking spaces to the north on Eighth Street.

Mr. Hurtado reiterated that the road would be widened. He also clarified that the road would be 28 feet wide from face of curb. He further clarified that of the nine parking spaces, one would be handicap. To the area to the north on Herb White Way where four parking spaces had been shown, one of those spaces would also be handicap parking.

JOYCE GUNN, Pittsburg, 120 Heron Drive, Pittsburg, verified with staff that the name of the project had been changed from Marina Walk II to Mariner Walk.

Ms. Gunn expressed concern with the way the project was moving ahead with the creation of a park that would be based on the acceptance of a DDA which would require the new
Ms. Gunn added that the California Environmental Quality Act (CEQA) had indicated that there could be a significant effect on the environmental wetlands based on the project, if mitigation was not followed. She encouraged the Commission to ensure that any mitigation was followed so that the wetlands, which were unique to the City, were not lost.

Since the developer was willing to create a new park, Ms. Gunn inquired whether or not the developer would consider the possibility of preserving a portion of the current park so that there could be five acres of park land. She recognized that may result in a reduction in the number of homes being proposed.

Commissioner Garcia pointed out that the developer would be required to locate more wetlands or create wetlands as a condition of the project.

In response to Commissioner Harris, Mr. Reber explained that the park would be half an acre smaller than the previous park but with a detention basin, which would take more land. As to whether the size of the park could be increased or a portion of the existing park preserved, he stated that would depend since as many as ten units could be lost.

Commissioner Harris requested that the applicant consider preserving a portion of the existing park towards the street area, such as a pocket park behind the school, if possible, which the developer agreed to research.

Commissioner Ohlson was also concerned with the net loss of park lands. While he understood that the Recreation Commission had approved the park, he agreed that the developer should consider the possibility of no net loss of park lands. He urged the developer to create a small pocket park, if possible.

Ms. Hoggatt explained that the park itself would be about 3.45 acres with another acre of private linear park. As a result, park land would total about 4.3 or 4.4 acres.

Commissioner Garcia commented that unless it was a private park and the developer was willing to maintain it that would raise a concern since the City was currently unable to maintain its existing parks.

Commissioner Garcia added that the City was currently discussing whether or not the public would be willing to double its landscaping and lighting fees required to pay to maintain City parks. Unless the developer was willing to put that in as part of the development, he would have to support the existing plans.
Commissioner Garcia noted that the existing park was not always maintained. He sought a way to incorporate the detention pond, with grass, as usable park land during the dry season. He reiterated that if a pocket park was to be considered, it would have to be maintained with CC&R’s or an assessment imposed since the City was unable to pay for the maintenance of existing City parks. He recommended that the park be private and be included within the project itself and be maintained by the HOA. He also recommended that the traffic signal light, previously discussed, be installed prior to the construction of the homes and that staff work out a fair share agreement with the developer to widen Herb White Way from Eighth to Tenth Streets.

Vice Chairperson Dolojan advised that the item would be continued to the Planning Commission meeting of August 9, 2005 with the public hearing to remain open to that date.

Chairperson Ramirez returned to the dais at this time.

**COMMISSION CONSIDERATION:**

**Item 2: Amendments to the Historic Resources Regulations**

A City-initiated project to amend Chapters 15.84 and 19.20 of the Municipal Code pertaining to historic resources and the Historic Resources Commission.

Ms. Ayres presented the staff report dated July 26, 2005. She recommended that the Planning Commission provide staff with feedback on proposed changes to the City historic resource regulations.

Commissioner Ohlson referenced Page 2 of 5, project description, of the July 26, 2005 staff report, and inquired when the list of designated historical resources had last been updated.

Ms. Ayres explained that the list of historic resources had been updated with the adoption of the General Plan in 2001 with input from staff, the public and the General Plan consultant.

Commissioner Ohlson also spoke to the use of the terms *historic* and *historical* throughout the document. He noted that according to the Third Edition of the 1997 American Heritage Dictionary, the definition of historical meant old, while historic was defined as being important in history. He recommended that the term be consistent throughout the regulations with the use of the term historic, rather than historical. He also offered some typographical changes he would like to see made to the document.

Commissioner Garcia welcomed the amendments which he found to be long overdue.

Commissioner Tumbaga spoke to Page 4 of 5 of the July 26, 2005 staff report, Project Description, No. 9, as written, and expressed concern that the changes proposed to the
section would require a notice of intent by a property owner to demolish a historic building or contributing building, to be submitted to the City Council instead of the Historic Resources Commission (HRC). She expressed a preference that the Planning Commission, serving as the HRC, be involved in the discussion as to whether or not it was appropriate to demolish historic structures.

Ms. Ayres explained that section could be revised to reflect that a notice of intent by a property owner to demolish a historic building or contributing building be submitted to the HRC and the City Council.

Commissioner Ohlson requested that in the future Attachment 2 should be paginated. Also, referencing Attachment 2, Page 3 D, with assistance from staff, he recommended that section be amended to read:

D. “Designated historic site” means a parcel or part thereof on which a designated historic building is situated, and any abutting parcel or part thereof constituting part of the premises on which the designated historic building is situated, and which has been designated pursuant to the provisions of this chapter.

STAFF COMMUNICATIONS:

Ms. Ayres reported that the appointments to the Planning Commission Subcommittees had been assigned by the Chairperson. Assignments were made to two committees only. With respect to TRANSPLAN, Commissioner Garcia would continue as the primary appointee and Commissioner Ohlson would serve as the Alternative. Chairperson Ramirez and Commissioner Harris had been appointed to the Land Use Subcommittee.

1. Notice of Intent (to review/approve projects at staff level):
   a. Buchanan Starbucks Freestanding Sign. AP-05-227 (AD)
   b. Nextel Wireless Facility. AP-05-230 (AD)
   c. Cingular Wireless Facility. AP-05-232 (AD)

The Planning Commission acknowledged the Notice of Intent items as shown.

In response to Commissioner Tumbaga as to whether or not the City had a limit to the number of antennas at a specific location, Ms. Ayres explained that was handled through the design review authority process. Ms. Ayres added that the Federal Communications Commission (FCC) limited what the City could do, although the City had design review authority in terms of how the antennas were to be placed. If located on a City facility, the City would be compensated. Most antennas were placed on PG&E towers.

Ms. Ayres reported that although the tentative schedule for the August 9th Planning
Commission meeting had included a review of amendments to the density bonus regulations, the item would be placed on a future meeting agenda. A presentation was tentatively schedule for Main Street USA on August 9th to present proposed design guidelines for the central core downtown area. If adopted, the regulations would serve as design guidelines for the Historic Resources section of the General Plan and would cover the entire area of the central core down to Tenth Street.

Chairperson Ramirez reported that an Old Town meeting had been scheduled for August 5, 2005.

COMMITTEE REPORTS:

Commissioner Garcia reported that the TRANSPLAN Committee had met on July 14 with a time schedule presented on the widening of State Route 4, which had shown six lanes past Loveridge Road although eight lanes had been considered in the past. He reported that the Metropolitan Transportation Committee (MTC) had also made changes to its Transit Oriented Development (TOD) Policy for the proposed stations and had removed the job requirements. Additionally, the City of Pittsburg had requested funds for work on the Buchanan Road Bypass which had been approved although the City had been asked to increase its traffic mitigation fees.

COMMENTS FROM COMMISSIONERS:

Commissioner Dolojan reported that he would be on vacation for the month of September.

Commissioner Harris presented a memorandum to staff and each Commissioner listing a number of code enforcement concerns with accompanying photographs of each site. He added that businesses along Railroad Avenue had increased difficulty exiting during heavy traffic periods. He asked that the current rotation of the traffic signal be modified to improve the traffic flow.

Commissioner Garcia requested that the City’s Traffic Engineer review the area of Gladstone Drive from Loveridge to Leland Roads and consider reopening that street, which was now closed.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:00 P.M. to a regular meeting of the Planning Commission on August 9, 2005 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.