MINUTES
OF THE REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION
April 12, 2005

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Jack Garcia at 7:00 P.M. on Tuesday, April 12, 2005 in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

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

Absent: Commissioners Dolojan, Gordon

Staff: Planning Director Melissa Ayres, Assistant Planner Christopher Barton, Associate Planner Dana Hoggatt, Assistant City Manager Matt Rodriguez, Economic Development Director Brad Nail, and Senior Civil Engineer Alfredo Hurtado.

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, April 8, 2005.

PLEDGE OF ALLEGIANCE:

Commissioner Tumbaga 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:
Ms. Ayres introduced the new Assistant City Manager, Matt Rodriguez, who was present in the audience.

CONSENT:

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Commissioner Ohlson requested an amendment to the seventh paragraph of Page 13, as follows:

*Commissioner Ohlson advised that several bicycle commuters had complained about that situation when used as a right turn lane.*

Commissioner Ramirez requested an amendment to the third paragraph of Page 14:

*Commissioner Ramirez reported that he would not be in attendance at the regular Planning Commission meeting scheduled for May 10.*

MOTION:

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

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

PUBLIC HEARINGS:

Item 1: Hampton Inn. AP-05-186 (UP and DR)
Continued public hearing on an application by Natwarbhai Patel on a request to: 1) a use permit to operate a hotel; and 2) design review approval of architectural floor plans and elevations and site improvement plans in order to construct a four story, 96-room hotel with a pool, meeting rooms, and an accessory dining area for guests on a vacant 1.74-acre lot located at 1201 California Avenue, APN 073-190-027.

Assistant Planner Dana Hoggatt presented the staff report dated April 12, 2005. She recommended that the Planning Commission adopt Resolution No. 9562 approving AP-05-186 (UP, DR), with the conditions as shown.

In response to the Chair, Ms. Hoggatt confirmed that no changes had been made to the...
plans which were the same as previously presented to the Planning Commission. Commissioner Ohlson spoke to Section 1. Background, G (4) of Resolution No. 9562, and the discussion in that section on dedicated future rights-of-way. He questioned whether or not there was any dedicated future rights-of-way involved in the property.

Ms. Hoggatt explained that when the original Loveridge Center commercial project had been proposed a certain number of feet had been dedicated along the California Avenue frontage in anticipation of widening California Avenue to four lanes. The language in that section as it related to the freestanding sign proposed by the applicant would be outside of that area which had been dedicated for the additional roadway width of California Avenue. At such time as California Avenue was widened, the sign would be relocated.

Speaking to the Design Review conditions, specifically Condition No. 8 of Resolution No. 9562, Commissioner Ohlson requested that the condition be modified. Rather than “encourage” the applicant to contact the Delta Diablo Sanitation District to inquire about the feasibility of installing a sanitary sewer inlet within the enclosure, he recommended that the applicant ‘must” contact the Delta Diablo Sanitation District.

Ms. Ayres recommended that the condition be amended to read:

8. The trash enclosure shall not be permitted to have a storm drain within its walls. The developer shall contact the Delta Diablo Sanitation District to inquire about the feasibility of installing a sanitary sewer inlet within the enclosure.

Commissioner Ohlson accepted the staff recommended revision to the language for Condition No. 8.

Again speaking to the same resolution as related to Traffic Conditions, specifically Condition No. 24, Commissioner Ohlson wanted assurance that there would be standard width lanes for a minor arterial, which stipulated a 14-foot right lane and a 12-foot center lane. He did not want to see the outside lane narrowed to 12 feet which would encroach into the space that bicyclists would use, in order to build the concrete median. He asked that the condition be amended to reflect the City’s minor arterial lane widths of 14 feet for the right lane and 12 feet for the center lane to be maintained in the westbound direction. Ms. Hoggatt explained that the developer was not being asked to stripe the lanes but to install the median. The ultimate position of the median would be subject to the City Engineer’s approval and might be an interim improvement until the roadway had been widened. She deferred that issue to the City Engineer.

Commissioner Ohlson expressed concern that the applicant would be required to install a median narrowing the width of the right lane. While it had already been determined that the route was not a bicycle route and although he had argued that it should be in the General Plan, he reiterated his request for assurance for standard width lanes. Per Title 12
of the City’s Municipal Code, minor arterials would have a 14-foot right lane and a 12-foot center lane in each direction exclusive of the median. The way the condition had been written there was no mention of the width of the lanes.

Senior Civil Engineer Alfredo Hurtado commented that the bike lane would not be lost in that it would be provided in the future. In this instance when State Route 4 was widened, the concern being expressed would be resolved at that time. Currently the improvements were on a temporary basis as part of the subject project. Eventually staff would have to work with Caltrans so that California Avenue would match what was being proposed for the left turn lane into Carion Court.

Commissioner Ohlson again reiterated his concerns.

Mr. Hurtado advised that they would have to work with the developer during the design process on those requirements. He was confident those issues could be resolved with the applicant.

Commissioner Ohlson also requested that Condition No. 25 of the traffic conditions be amended to reflect that the “red paint” and not the red curb itself would be removed from a section of the existing red curb in order to allow on-street parking along the eastern side of Carion Court.

PUBLIC HEARING OPENED

PROPOSENT:

RAMESH PATEL, BMS Investments, 5 LLC, 405 Parker Avenue, San Francisco, presented an artist’s rendering of the project. In response to the Chair, he expressed his agreement to the staff recommended conditions of approval, as discussed for amendment.

Commissioner Ohlson clarified to the applicant his comments and concerns were not in opposition to the project and that he fully intended to support the proposal.

Commissioner Williams commended the applicant on the renderings and welcomed the project to the City.

The Chair welcomed the project to the City as well.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-05-186
Motion by Commissioner Tumbaga to adopt Resolution No. 9562, approving AP-05-186, a Use Permit and architectural, sign and site development plans for the construction of a 96-room hotel on a 1.74-acre site located at 1201 California Avenue for “Hampton Inn,” with the conditions as shown and as amended. The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

ITEM 2: Pittsburg Islamic Center. AP-04-125 (UP)
Application by Saleh N. Shaibi requesting a use permit to allow religious assembly in an existing building located at 300 East Tenth Street, Downtown Service Commercial land use designation, APNs 085-183-002 and 085-183-003.

Assistant Planner Christopher Barton presented the staff report dated April 12, 2005. He recommended that the Planning Commission adopt Resolution No. 9563, approving Use Permit Application No. AP-04-125 (UP), with the conditions as shown.

Commissioner Ohlson stated that he liked the site plan although in comparing plans A1.1 and A1, as it related to the trash enclosure, Plan A1 had shown no trash enclosure. He requested clarification from staff as to whether or not the plan under consideration would be Plan A1.1 which had shown the trash enclosure.

Mr. Barton affirmed that Plan A1.1 was the accurate site plan being proposed.

Commissioner Ohlson commented that there appeared to be a 10-foot wide sidewalk at the rear of the building and a 10-foot wide sidewalk in the front of the building where if three single bike parking stalls were spaced along each of those walls there would be no loss of automobile parking space and the width of the sidewalk would still be Americans with Disabilities Act (ADA) compliant. While he was not suggesting it be a condition, he encouraged the applicant to consider that recommendation.

Commissioner Ohlson noted that more information on bicycle parking was available on bicycleparking.com. He added that the standard for bicycle parking was that it be no further than the closest non-handicap automobile parking space from the front door. In this instance, he would waive that closeness in consideration of fitting in on the sidewalks on the north and south sides of the building.

Commissioner Ohlson also agreed with staff on the recommendation for a continuation of the street trees along Tenth Street. As to those along the parking lot edge on the west and north sides, he would like to see spacious canopies shading the blacktop as much as possible which would make the space more inviting. While he did not propose that as a
condition, he requested that the applicant consider making the parking lot trees spacious canopy trees.

Commissioner Williams inquired of staff whether or not True Light Missionary Baptist Church, which was an adjacent use, would be affected by the project. She questioned whether or not the church had been notified of the proposal so that a representative of the church could be present to address any concerns.

Mr. Barton explained that the public notification had been provided, as required, to all property owners within 300 feet of the project site. The church would not be directly impacted by the project other than coordinating the landscaping requirement for the applicant since there was a landscaping strip separating the two uses. Once close to the final construction drawings, the installation of the landscaping could be staggered to ensure no impacts. He also did not see any traffic impacts as a result of the project.

Commissioner Williams stated that she had recently spoken to Reverend Wright of True Light Missionary Baptist Church who had not been aware nor had been notified by the City of the project and how it might or might not impact his church.

Mr. Barton stated that the site had been posted with flyers. If someone was not a property owner it was possible the public notification was not received in that notices were only mailed to property owners.

Chairperson Garcia noted that the two buildings were separated by two parking lots where the church patrons could exit onto Tenth Street or the corner near the underpass. The Islamic Center would exit onto Los Medanos Street. He did not see that there would be any traffic impacts.

Commissioner Williams expressed concern that the adjacent user was not present. While she welcomed the applicants, she wanted all principals involved to have an equal voice in offering an opinion on the project.

In response to the Chair, Mr. Barton clarified that the staff recommendation for the window trim had been addressed in Condition No. 2 of Use Permit Resolution No. 9563.

PUBLIC HEARING OPENED

KASSIM SHAIBI, 290 West Tenth Street, Pittsburg, stated, in response to the Chair, that he had read and was in agreement with the recommended conditions of approval.

Mr. Shaibi clarified, when asked, that the congregation was comprised of approximately 30 members. Most of the center’s activities were on Fridays at 12:30 P.M. which was their busiest time period. He acknowledged that they planned to have the center open for 24 hours where someone could come and learn about Islam. Primarily, the church would be
open on Fridays once a week around 12:30 P.M.

Commissioner Williams clarified with the applicant that the Islamic Center was a center for worship and prayer and that no other activities had been planned nor would the center be rented for other activities.

Mr. Shaibi also clarified that while he had not personally spoken with his neighbors about the proposal, he did not see any problem with the landscaping requirements in that everything was negotiable.

Commissioner Ramirez commended the applicant for a good project. He also commented that he was very familiar with the original property owner who had built the building years ago. Since he understood that the center was intended to be open for a 24-hour period, he inquired whether or not the center would be unlocked during that entire period.

Mr. Shaibi clarified that the doors would not be open 24 hours a day since the property owner, who was retired, would be available to open the doors if contacted after hours.

Commissioner Williams inquired whether or not women attended the Islamic Center, to which Mr. Shaibi advised that while women could be at the center at times, they were usually busy with their children.

ISMAIL al-SHABAZZ, 2121 Loveridge Road, Pittsburg, commented that there had been some interaction with the adjacent neighbors since it was customary for the Islamic Center to know its neighbors. While he personally had not met the Reverend of True Light Missionary Church, he had mingled with a number of its congregation. The Islamic Center also supported the church activities, such as the yard sales. He clarified that the prayers would be established five times a day and the doors would only be open during the time of prayers.

The center’s main congregation time would be on Fridays between 12:30 and 1:30 P.M. and might last from a half hour to an hour. There would be no problems with traffic or parking between the two facilities since the congregation of the Islamic Center would enter/exit onto Los Medanos Street with no traffic impacts with the church use. The Islamic Center looked forward to being a member of the community and had made an effort to know some of the surrounding neighbors and businesses.

JEMAL A’OMER, 300 Tenth Street Pittsburg, expressed his support for the project and offered greetings to the Commission. He spoke to his knowledge of the community and the changes being made to improve the downtown. It was his hope that the Islamic Center would also be a part of the improvement efforts. He also spoke to the teachings of the Islamic Center which followed a tradition to love and respect. He asked the Commission to enable them to reach into the community.
SALEH SHAIBI, speaking with Mr. A’omer as his interpreter, offered peace to the Planning Commission and introduced himself as the Imam. He spoke to the struggles in American society for liberty, justice and equality. He also spoke to God as the creator and the teachings and principles of Islam. He asked that the Planning Commission help the Islamic Center to become a part of the City and its populace in rebuilding it in the name of God.

ABDO, 300 Tenth Street, Pittsburg, speaking from the audience, echoed those comments.

HAKIM ABDUL JABBAR, 663 Carpino Avenue, Pittsburg, spoke to the fact that Islam had helped him as a man who had been incarcerated. He was now a better and productive citizen. He also spoke to the problems with youth. As a life long resident of the City, he was aware of the need to make a difference with the help of the Islamic Center. He asked the Commission to support the project as well.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-04-125 (UP)

Motion by Commissioner Williams to adopt Resolution No. 9563, approving AP-04-125 (UP), a Use Permit to allow Religious Assembly in an existing building at 300 East Tenth Street for “Pittsburg Islamic Center,” with the conditions as shown and tied to Site Plan A1.1. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

STAFF COMMUNICATIONS:

Ms. Ayres updated the Commission on the status of the Planning Commission Bylaws which had been discussed by the City Council Subcommittee. The Subcommittee had recommended revisions to incorporate standardized language and to incorporate direction that had been given regarding attendance. The Commission Bylaws were due to be finalized by the City Council on May 2.

Ms. Ayres added that the Council Bylaws Subcommittee had also discussed the status of the Historical Resources Commission (HRC) with the Subcommittee open to change the structure of the HRC to be comprised of the seven Planning Commissioners and two members to be appointed at large in the same way that the City Council was structured for the Housing Authority, which was made up of the five Councilmembers and two members.
Ms. Ayres inquired whether or not the Planning Commission was supportive of such a structure, with the meetings to occur at least once or twice a year.

By consensus, the Commission supported the recommended structure for the Historical Resources Commission.

Ms. Ayres advised that the next step would be to request the City Council to initiate a study to allow those changes to be made. She expressed her hope that would be completed and adopted before the Commission's review of the Black Diamond project.

**COMMITTEE REPORTS:**

Commissioner Ohlson reported that the recent TRANSPLAN Committee meeting had been a quick meeting, with acceptance of the TRANSPLAN meeting minutes and the approval of the mid-year budget adjustments.

Commissioner Ramirez reported that the newly appointed Land Use Subcommittee had met on April 1 to discuss the East Leland Road/Gladstone Drive project, with many in attendance. The meeting had been positive with different views on what should be done to develop the property. The City Manager, who was present, supported the rezoning of the property to single family residential since he was of the opinion that commercial development would be better suited near the future E BART Station at Railroad Avenue.

Ms. Ayres also reported that the Redevelopment Agency had recently met to discuss the proposed Design Guidelines for the downtown area. The Historic Resources section of the Municipal Code called for adopted Design Guidelines for the Historical District in the past, although in research with the City Clerk, such guidelines had never been adopted.

The Redevelopment Agency had contracted with Main Street USA to develop guidelines for the downtown area, with guidelines for private development and one for private rights-of-way.

One set of guidelines would deal with signage, integrity of historic buildings, construction of new buildings, details in windows, awnings, blade and suspended signs and those things that would create the atmosphere of a quaint downtown. The draft Design Guidelines had been presented to members of the Chamber of Commerce, staff and others who were present. The meeting had been positive. A more formal document would be submitted for review and approval by the Redevelopment Agency in the near future and would also be reviewed by the Planning Commission.

Commissioner Tumbaga requested that the entire Planning Commission be invited to
attend those meetings in the future since it was very informative to see the process evolve.

Having attended a few of the meetings, she emphasized that public input had been very important.

Ms. Ayres also reported that she would be attending the April 14 meeting of the eBART Partnership Policy Advisory Committee (ePPAC) since the City had submitted a letter requesting that ePPAC include an eBART station at Railroad Avenue/State Route 4 in its study. She explained that the City had been working closely with BART staff and had a Memorandum of Understanding (MOU) to bring to the City Council to sign, to allow the City to contribute and participate in the Environmental Impact Report (EIR) process.

Ms. Ayres further updated the Commission on the Urban Limit Line (ULL) process which had been quite lengthy. Councilmember Glynn had been assigned to follow the process. Task force meetings had been held in each quadrant of the County and had been assigned the task of coming up with the preferred ULL for each area. A Countywide Task Force had met to resolve differences and to come to an agreement. While the Task Force had met a few times, no agreement had been reached. The Task Force was scheduled to meet again during the last week of April.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Tumbaga announced that the Adult Education Show could be viewed at City Hall from April 15 through April 24.

In response to Commissioner Ramirez as to the status of future projects, Mr. Barton advised that Chili’s had applied for a restaurant to be located adjacent to a future proposed Outback restaurant, which application had currently been deemed incomplete and would likely be submitted to the Commission in the near future once each City department and outside agency had completed its comments on the plans.

The City had also received an application for Mehran restaurant, to be located in the Railroad Square Shopping Center. The proposal included a full service restaurant which was allowed in the current zoning, although staff was working to coordinate needed compliance with the parking requirements. The applicant also would like to have live entertainment which would trigger the need to obtain an approved use permit from the Planning Commission.

In response to Commissioner Williams as to the property on Railroad Avenue where Shear Madness hair salon and other businesses had been located, Mr. Barton stated that he was unaware of any plans for that property. The former Charbroiler restaurant located on the same side of Railroad Avenue was being remodeled for a new tenant. The building had some code compliance issues. Once modifications were complete, it would be occupied by a custom flowing showroom.
Commissioner Ohlson inquired of the status of the Fort Knox Self-Storage facility, to which the Chair noted that the landscaping had been installed although it was not growing much due to the time of year.

Ms. Ayres added that staff would likely be contacting Fort Knox regarding its illegal banner soon.

Chairperson Garcia spoke to the property where American Paint had been located on Bliss Avenue and which was now occupied by Steel Clean. He questioned staff whether or not the property owner had dedicated the right-of-way on Bliss Avenue to the City. He noted that the street was private and the City should ask for its half of the street. He asked that staff review that issue. He also understood that a new restaurant had been proposed on Bliss Avenue and would be dedicating its portion of the right-of-way, with a sidewalk.

Mr. Hurtado advised that he would have to review that situation.

Chairperson Garcia also understood that the City planned to turn over three lots on Central Avenue to Habitat for Humanity. Before that agency was allowed to build more homes, he asked that it be contacted to inspect the existing Habitat for Humanity home behind Cottage Market on Harbor Street since that property was in poor condition.

Chairperson Garcia further reported that there had been a legal notice in the newspaper where the City was going to abandon an easement on Brookside Drive. He inquired who would be responsible for the existing cyclone fence on the sidewalk and whether or not it would be improved to City standards.

Mr. Hurtado explained that the matter was scheduled for City Council review. The easement was due to be returned to the property owner who would be responsible for the cyclone fence and the sidewalk.

Commissioner Ohlson spoke to the same easement from Brookside Drive down to Kirker Creek and commented that the Kirker Creek Watershed Management organization was interested in the easement to make it a public trail to the planned environmental education center. While he understood that the Council would be requested to abandon the easement, he would be appearing before the Council at its next meeting to raise his objections on the issue.

Mr. Hurtado reiterated that the matter had been scheduled for City Council review at its next meeting.
ADJOURNMENT

There being no further business, the meeting adjourned at 8:26 P.M. to a regular meeting of the Planning Commission on April 26, 2005 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, California.

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MELISSA AYRES, Secretary
Pittsburg Planning