A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Jack Garcia at 7:00 P.M. on Tuesday, January 11, 2005 in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Dolojan, Gordon, Ohlson, Ramirez, Tumbaga, Chairperson Garcia

Absent: Commissioner Williams

Staff: Planning Director Melissa Ayres, Associate Planner Ken Strelo, Assistant Planner Christopher Barton, Senior Civil Engineer Alfredo Hurtado, Assistant City Engineer Keith Halverson

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, January 7, 2005.

PLEDGE OF ALLEGIANCE:

Mr. Ripoli 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:
a. Presentation: Green Building Program – Marc Richmond, "What's Working"

MARC RICHMOND, representing the Building Green Organization, advised that the organization was a non-profit whose purpose was to coordinate all residential green building efforts in the Bay Area through an association of cities, counties, product manufacturers, builders, architects, developers, non-profits, realtors, financiers, and the like.

Guidelines of the Green Program were presented to the Commission.

As a member of the Council, Mr. Richmond stated that the City of Pittsburg would have the opportunity to speak to other cities that were a part of the Council, coordinate with other groups and use the Green Building Program logo, as well as be listed on the Green Building program website. There would be free training for City staff or builders in the area and free technical assistance for homeowners on green building. The program’s website included a wealth of beneficial information and links to informational sites.

Mr. Richmond explained that there was no fee to join the Green Building Program Council. He would like the ability to work with City staff to coordinate some of the activities and advise of training and possible marketing efforts to the local community. He added that the program was funded by the Public Utilities Commission (PUC).

Commissioner Gordon commented that he was a member of the County Hazardous Materials Commission where one of the issues at the committee level had been the reports on indoor air quality for commercial, office and school buildings. He asked Mr. Richmond to contact the head of the County Hazardous Materials Department so that a presentation could also be made to that committee. He noted that there was information that could be used on that committee level with a possible recommendation to the County Board of Supervisors.

Commissioner Tumbaga inquired of the response from the building community regarding the Green Building Program, to which Mr. Richmond advised that there had been a good response from the building industry and a better response from a builder who was a leader in the marketplace. He commented that the building industry was fearful that the program could become mandatory.

As to the potential costs for a green building, Mr. Richmond stated the program could be more or less expensive using new materials. Most green building materials that were currently being promoted were easily accessible to the public and not unusual or different. As to the resale value of existing properties when retrofitted to green building, he stated that remodeling was an issue that had not been well researched although it had been found that with new construction the resale value was five to ten percent more for a green building. He recommended that the green building benefits and not the features be promoted.
As to the recovery costs for a remodel as an example, Mr. Richmond stated that would depend on the features and what was being done. He stated that green buildings were more efficient and there was more value and a better return with green buildings over time.

Mr. Richmond added that when a city became a member of the Green Building Program Council, a staff member would be appointed as a contact for the program with displays provided to the City, and with information on the city’s website including information on scheduled presentations and training programs at a community event where the public could be informed of the program. Mr. Richmond reiterated that there was no cost to a city that belonged to the program. If a city chose not to join as a member of the Council, a city would still have the ability to contact the Green Building Program resource center to gain information. There was no downside to not becoming a member although the city would not have the benefits of the training and green building expertise.

Planning Director Melissa Ayres noted the Planning Commission was not being asked to make a decision. It was her expectation that the same presentation would be offered to the City Council in that the City Council or the City Manager would make the decision as to whether or not to join the Green Building Program Council.

Laura Wright, Administrative Analyst III, Public Works Department, commented that the information on green building had been available in the Countywide Program through the AB939 Interest Group for Solid Waste Reduction, with information supplied to those coming to the counter at City Hall. Staff also had information from the Alameda County publication and the cities of Contra Costa County that had provided site specific information to contact involved agencies.

Ms. Wright presented a copy of an advertisement from the League of California Cities, showing how a builder promoted green building in the State. She added that all information would continue to be made available to the public.

Mr. Richmond also clarified that the Green Building Program had been named as such for the past 20 years due to the savings it offered in environmental resources.

Commissioner Gordon added that there were reports available on indoor/outdoor air quality, particularly in relation to school buildings, where it had been found that the air was cleaner for the students to be outdoors than inside some of the school facilities in this area.

Commissioner Tumbaga inquired whether or not the Green Building Program also addressed recycling of computer equipment.

Mr. Richmond explained that the Green Building Program dealt primarily with the building industry. He emphasized the need to educate the public as much as possible in that arena.
CONSENT:

a. Minutes – November 23 and December 14, 2004

Commissioner Ohlson requested the following amendments to the November 23, 2004 minutes.

To the ninth paragraph of Page 22:

Commissioner Ohlson requested clarification in that he understood that since July 2004, the developer would build West Leland extension (four lanes) from San Marco Boulevard to the existing West Leland Road.

To the third sentence of the fifth paragraph on Page 25:

The DA for the Alves property was no worse than any of the arrangements enjoyed by Seecon.

To the second to the last sentence of the sixth paragraph of Page 32:

He [Commissioner Ohlson] added that if widening were to occur on Railroad Avenue it would likely occur on the side where Bell’s Gas Station was located.

Commissioner Ohlson requested the following amendments to the December 14, 2004 minutes.

To the last sentence of the second paragraph on Page 11:

He [Commissioner Ohlson] was pleased that the truck bypass would mandate that all trucks would use the freeway and stay off of Railroad Avenue.

To the fourth paragraph on Page 11:

Commissioner Ohlson expressed a desire to see all of the coke trucks use the bypass.

And to the last sentence of the last paragraph on Page 17:

He [Commissioner Ohlson] recommended a nice steel fence across the Tenth Street entrance similar to the fence proposed along the rear of the parking that could be fully opened and locked open for the duration of the project, unless there was a problem, where it could be locked each evening, rather than a chain link
fence which was not similar to the remainder of the fencing on the project site.

MOTION:

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

Ayes: Commissioners Dolojan, Gordon, Ohlson, Ramirez, Tumbaga, Garcia

Noes: None

Abstain: None

Absent: Commissioner Williams

PUBLIC HEARINGS:

Item 1: Pittsburg Library AP-04-181 (UP and DR).

A request by the Redevelopment Agency of the City of Pittsburg for a use permit and design review approval to construct and operate a new 15,000 square foot library with related site improvements at the southeast corner of Civic Avenue and Davi Avenue in the GQ (Governmental Quasipublic) District; APN 086-100-022.

Assistant Planner Christopher Barton and Assistant City Engineer Keith Halverson presented the staff report dated January 11, 2005. Mr. Barton recommended that the Planning Commission adopt Resolution No. 9546, approving Use Permit Application No. AP-04-181 and approve Resolution No. 9547 approving Design Review Application No. AP-04-181, with the conditions as shown.

PUBLIC HEARING OPENED

PROPONEENT: City of Pittsburg Redevelopment Agency

Mr. Barton noted that Mr. Halverson was acting as the Project Manager on behalf of the Redevelopment Agency and as such, he had agreed to the conditions of approval.

Commissioner Tumbaga requested clarification as to whether or not the Redevelopment Agency was locked into the site for the library.

In response, Mr. Halverson stated that the site had been selected. While there were possibilities to make changes, the Agency was proceeding with the design on an expedited schedule and were proceeding with that design under the assumption that the project site would indeed be the site for the library. In terms of the proposed design of the building and the selection of the architect, he advised that had been chosen by the Redevelopment Agency after a number of public workshops with extensive public participation.
JEFF DAY, Noll and Tam Architects, understood that there had been a selection process of the architects for the project through the Redevelopment Agency. The initial design and programming had resulted from several open public meetings where the public had been involved in the design input. Suggestions from the public, staff and the Redevelopment Agency had been incorporated into the building. The building was a design in process and this was the forum for public feedback.

Ms. Ayres explained that this was a design review application not unlike any other and the Planning Commission had to determine whether or not the required findings could be made to approve the plan. She understood that there had been a great deal of public input on the floor plans, program plans and other components. The general site and floor plans had been blessed by the Council. The Council had taken no action on the exterior design of the building to date which was a result of outflow of comments from City management, such as the green roof which staff would like to see to integrate the library with City Hall since it was part of the Civic Center. Colors had also been related somewhat to City Hall with opportunities for large open natural glass on the north side providing natural lighting into the adult reading area, as an example. The architect had taken comments from the public, staff and the Council and the design represented the evolution of those comments. She explained that the Redevelopment Agency was asking for final approval, although the Planning Commission could impose additional conditions as necessary.

Mr. Day described the site plan, floor plan and architecture of the library to the Commission.

Commissioner Ohlson was happy to see the library and the final product although he commented that given the concerns with the revitalization of the downtown, he would have thought that any building proposed to be built by the City should have a north of Tenth Street. Commenting that the building appeared to be larger than the existing library, it was his understanding that the American Library Association had recommended a library facility that was half a square foot per citizen in a community. While the new library would be larger than the existing library facility, he stated it was half the size recommended by the Library Association. He also recognized that the City was uncertain how to fund and operate the library, once built. He supported a design that could be expanded in the future when the City had more funds.

Commissioner Ohlson suggested that the mechanical room and staff services be relocated to the other side of the building where a wall could be pushed out to expand the building in the future. He also noted if that was done and the floor plan flipped, that would only impact the driveway area. He suggested that more parking could be located elsewhere on the site. The drive could also be reconfigured in such a way where garbage truck access to the mechanical area would still be maintained. The reading garden could then be placed on the other side of the building where there would be space to expand the building in the future.
Mr. Day commented that they had discussed the future expansion opportunities of the library at the City Council level. The City Council had determined to place its future resources behind a potential second library branch to be located in another part of the City serving another part of the community.

Mr. Halverson reported that the Redevelopment Agency Subcommittee had considered a larger facility and future expansion possibilities with the consensus that another library facility would be better located in another part of town. There were also discussions of the use of the corner parcel in the foreseeable future. Further cuts into that piece could result in a less usable parcel for future options being considered by the City.

Commissioner Ohlson recommended the elimination of the driveway, to place additional parking as needed in that area and create the circulation and parking in another area since the City Hall building had no parking between the building and the large circle and the site plan had the same parking configuration as City Hall with the building in the background and the parking between the building and the circle, which had not followed the design through.

Commissioner Ohlson noted that the parking for City Hall was on the street side. He understood the intent for having the library against the street side but suggested that while creating a nice library parking was being imposed between the library and the green circle. He suggested continuing the parking along the side and up to the edge following the design of City Hall facing the green. Commissioner Ohlson did not want to see parking behind the building. He disliked the concept of having the parking between the library and the green and wanted to integrate the library with the green area through some reconfiguration of the parking area. He added that the reading garden could be relocated to be connected with the more natural green area so that cars would not impinge on the reading garden.

Commissioner Gordon concurred with those comments in that the parking should be where the library building was located. He recommended that the building be turned 180 degrees with the entrance toward the parking with the creation of the garden area on the back side toward the green.

When asked, Mr. Day identified the windows for the computer area on the Civic Avenue elevation.

Commissioner Gordon commented that the windows appeared to stop short of the computer room. He also noted that the style of the shed roof rather than the hip roof to match the roof on City Hall was a concern. He questioned who had made that decision.

Mr. Day explained that all options had been discussed including the roof style. Some of
the reasons for the chosen roof style had been its simplicity and finances.

Commissioner Gordon noted that one of the findings to be made to approve the design review application was that the architecture must blend in with the surrounding area. While a nice draft at this point, in his opinion the design was not refined enough to be final since it did not match what was currently in the area. He characterized the building as appearing more like high school portable units stuck together. He was not enamored with the architecture.

Commissioner Dolojan agreed with the concerns expressed about the roof design. While the statement had been made that the design was to augment what had already been done for City Hall, he stated the design had not accomplished that desire. He also suggested that a two story structure would have resolved the issue of the facility serving the current population, which might not be as expensive as a future expansion of the proposed facility.

Chairperson Garcia stated that the junior college was building a new library that would be open to the public at all times. As such, the proposed new City library would not be the only library in the City. He understood that the new college facility was currently under construction.

Commissioner Ohlson requested a life-size statue or some other form of public art, to be placed at the front door of the library facility.

Mr. Day explained that issue had been considered. He identified an area at the front entrance that had been envisioned as a location for a statue or public art.

Commissioner Ohlson suggested that there were not enough trees. He recommended an entire canopy of trees around the entire parking area such as those at the former Los Medanos Community Hospital.

Commissioner Ramirez expressed his disappointment with the north and south elevations, in particular with the roof sections which appeared to stop suddenly rather than be uniform and carried over. He would have liked to have seen a scale model of the project to better visualize the design. He also noted that the east wall had a lot of blank spaces and while there was the possibility of signage on that elevation since it was on Civic Avenue, they were looking at the front of City Hall which appeared to be backwards. He questioned whether or not the address for the library facility had been identified at this point.

Mr. Day commented that he was unaware of the actual street address where the library facility would sit. He acknowledged that he had a beautiful model of the project, although it was not being presented to the Planning Commission at this time. He reiterated that the drawings were not the final drawings in that they were between schematic design and design development where there was an opportunity to develop the design from this point.
As to the roof concerns, Mr. Day stated that the element housed by the large shed and smaller dormer shed was the general book collection area, and that the lower volume housed the staff and mechanical rooms and other areas that did not necessarily need or benefit from the grand space or volume, which in the end would cost more money to develop.

Commissioner Ramirez recommended roofing with a slant matching the other slanted roof on City Hall rather than the flat top. He pointed out that the area would require extensive lighting in the evening, although none of the lighting fixtures had been identified on the plans. He suggested that the more light that was provided the fewer problems would occur. Mr. Day agreed.

Commissioner Ohlson wanted to see the parking from City Hall tied into the parking for the library allowing access from the City Hall parking lot to the corner.

Mr. Day explained that the area in question was fenced off, disconnected from the main parking lot and was part of the Police Department.

Chairperson Garcia disagreed that the roof design was not complimentary to what had been done for the City Hall building. He commented that the only problem he had with the elevations was the blank walls. He pointed out that staff should have been aware that the Commission did not like blank walls and would like to have seen the use of trellises or something that would break up the starkness of those walls. The south elevation was noted as being very blank as well as the north elevation which fronted Civic Avenue. He recommended landscaping around the air intake louvers which were currently unattractive and could be better screened with landscaping. He also suggested that it might be possible to use teal at the top of the lower roofs to resolve the blankness and blend in with the top roof. Further, murals could be used to break up the stark walls along with landscaping in front of the louvers.

Mr. Day stated that the signage locations he had identified were preliminary and those blank walls were possible locations for signage.

Mr. Barton explained that if the Commission would like to see any changes, this was the time to make those suggestions. Final details on the building could be added as conditions. In terms of the finer construction details, he explained that minor changes could result as the plan evolved. Any major changes to the design would be returned to the Commission.

Ms. Ayres noted that if the Commission wanted the applicant to make other changes to the design, the applicant could bring the project back to its client, the City Council, and ask the Council to make those changes before the Planning Commission took any action. The project was a City project and the City Council would decide whether or not to fund it and identify the final design in terms of what it wanted to fund. The Planning Commission was
still charged however with architectural review of the building and if the Commission wanted other changes, those changes could be accommodated through conditions of approval or through direction to the architect to come back with those changes.

Commissioner Tumbaga inquired if it would be possible to flip the library structure with the reading garden area placed on the other side where the green area could be carried through, and still provide the parking. She questioned how that configuration would impact the site.

Mr. Day noted that such a reconfiguration would place the mechanical back up house, which was now the unattractive side of the building, on the most important corner of the site. Such a change would also impact the parking. While all the parking could be brought over, as recommended, he was uncertain whether the required number of spaces could be provided. With only one access, compliance with Fire District requirements for access and required turning radii in and out of the parking lot was also questionable.

Commissioner Ohlson recommended a location for sufficient parking in an area large enough to accommodate fire equipment. He emphasized that he did not want to see parking blocking the building and keeping the building occupants from enjoying the circular area. He supported a green connection on one side or the other to the circle similar to the City Hall connection. He opposed the emphasis on automobiles by having the parking lot all the way across the front.

Commissioner Ohlson otherwise accepted keeping the building and the roof as proposed with the construction of another branch elsewhere in the community. He reiterated his objection to an emphasis on automobiles given that City Hall fronted completely to the green with cars behind it.

OPPONENTS: None

PUBLIC HEARING CLOSED

In terms of the use permit resolution, and after a motion was made by Commissioner Tumbaga to approve the use permit, which had been seconded by Commissioner Ramirez, Ms. Ayres explained that the use permit resolution tied the submitted site plan to the project. She clarified therefore that if the use permit resolution was approved, as shown, the Commission would be approving the presented site plan.

The Chair requested an amendment to the motion with staff to review the possibility of relocating the parking, if possible.

Commissioner Ohlson recommended that the relocation of the parking be made a condition of approval.
Chairperson Garcia supported a recommendation as opposed to a condition given the uncertainty of whether or not a relocation of the parking could be achieved.

Ms. Ayres suggested that it would be appropriate to modify Condition No. 1, to add a sentence requiring developers to look at an alternative site plan that would redesign the parking lot to increase the connectivity between the central park area and the library landscaping."

Commissioner Tumbaga accepted staff’s recommended amendment to Condition No. 1.

Commissioner Ohlson also requested a condition to provide that sufficient trees be planted in the parking lot to create a major canopy.

Commissioner Tumbaga accepted that further amendment to the original motion.

**MOTION: AP-04-181 (UP)**

Motion by Commissioner Tumbaga to adopt Resolution No. 9546, approving AP-04-181 (UP), a Use Permit to allow a Library/Cultural Institution at the southeast corner of Civic Avenue and Davi Avenue for the “Pittsburg Library,” with the conditions as shown and modified, as follows:

- Add a sentence to Condition No. 1 to generally read: “look at an alternative site plan that would redesign the parking lot to increase the connectivity between the central park area and the library landscaping.”

- Add additional condition that “The applicant shall provide sufficient trees in the parking lot to create a major canopy.”

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

**Ayes:** Commissioners Dolojan, Gordon, Ohlson, Ramirez, Tumbaga, Garcia

**Noes:** None

**Abstain:** None

**Absent:** Commissioner Williams

For the design review resolution, Chairperson Garcia requested that the application be conditioned with the architect directed to address the long blank walls, with either murals, trellises, or something else to break up those walls, that the air intake be screened from view with landscaping and that the top of the roof be trimmed with teal to match the rest of the building.

Commissioner Tumbaga supported a motion to approve the design review resolution, as
shown, with the amendments requested by the Chair along with a condition that a statue or some form of public art be placed at the end of the walkway, to be designated as a place for such public art.

Ms. Ayres asked that the request for a statue or public art not be made a condition of approval citing there was no nexus to require public art since the City did not have a Public Art Ordinance. The Council could be asked to consider funding for such a project in the future.

MOTION: AP-04-181 (DR)

Motion by Commissioner Tumbaga to adopt Resolution No. 9547, approving AP-04-181 (DR), Design Review approval of architectural and site development plans for the construction of a 16,244 square foot Public Library for “Pittsburg Library,” with the conditions as shown and with the following additional conditions:

- The architect shall address the long expansive blank walls, with either murals, trellises, or some other design elements to break up those walls with the air intake to be landscaped and screened from view; and

- The top of the roof of the lower building shall be trimmed with teal to match the rest of the building.

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

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

COMMISSION CONSIDERATIONS:

Item 2: Signode Shipping Warehouse 1. AP-04-172 (DR).

A request for Design Review approval of a 15,200 square foot warehouse addition to an existing 168,120 square feet building located on a developed 15.63 acre lot located at 1 Leslie Drive. The site is zoned IL (Limited Industrial) District. APN: 086-110-001.

Associate Planner Ken Strelo presented the staff report dated January 11, 2005. No increase in truck traffic was expected and the traffic should remain at 25 per day. He recommended that the Planning Commission adopt Resolution No. 9542, approving Design Review Application No. 04-172, with the conditions as shown.

PROPLEMENT:
WILLIAM RATHJEN, 4050 West 4th Avenue, Gary, Indiana, stated, when asked, that he was in agreement with the conditions of approval.

Commissioner Ohlson questioned whether or not the City, the County or any arborist society had a rule of thumb regarding the removal of mature trees in terms of the replacement ratio. Having driven through the site and having found it to be a beautiful campus, he expressed a desire to see more trees on the site.

Mr. Strelo stated that the City did not have a Tree Preservation Ordinance and only had a Landscape Ordinance. If the project was adopted, the final landscaping plan for the project would be reviewed by the City’s Park Planner who would comment on the proposed landscaping. Staff would like to see a minimum of eight native trees planted to replace the trees that would be removed as part of the project.

Commissioner Ohlson recommended that the applicant volunteer to replant 24 trees around the campus.

Mr. Rathjen stated that the site was an industrial site and the trees would not all fit in the island that staff had recommended be landscaped. In addition, the placement of more trees than recommended would be up to the property owner.

Chairperson Garcia recommended that the applicant and staff work together to possibly provide more trees with the input from the Park Planner. He did not agree with a condition that would require a greater number of trees.

Mr. Strelo commented that Condition No. 9 could be modified to address Commissioner Ohlson’s request for additional trees.

Commissioner Gordon questioned whether or not the Planning Commission had the authority to require more trees than proposed be planted by staff since the City did not have a replacement tree ordinance. He questioned the nexus to request additional trees beyond what had been recommended by staff.

Ms. Ayres explained that there were policies in the General Plan for the preservation of existing trees, as feasible. When the Commission reviewed a project site, whether a new or expanded development, the Commission had the authority to evaluate the landscaping and to require more trees. She noted that had been done for a shopping center upgrade on Railroad Avenue where the applicant in that case had been asked to plant two more street trees.

Chairperson Garcia suggested that the recommendation for 24 trees was not reasonable. He supported no more than 16 additional trees.

Ms. Ayres suggested that possibly larger sizes as opposed to more trees could be
considered, although she acknowledged that the cost of providing larger sized trees could be more costly.

OPPONENTS: None

MOTION: AP-04-172 (DR)

Motion by Commissioner Ohlson to adopt Resolution No. 9542, approving AP-04-172 (DR), Design Review approval of architectural plans, elevations and site development plans to construct a 15,200 square foot addition to an existing 168,120 square foot building and related site improvements on a 15.63 acre lot located at 1 Leslie Drive for “Signode Shipping Warehouse Addition,” with the conditions as shown and with a modification to Condition No. 9 as follows:

9. The applicant shall install landscaping in the proposed traffic island. A minimum of 16 trees (minimum 15 gallon size) shall be included, subject to review and approval of the Park Planner and concurrence with the Park Planner the trees to be distributed throughout the campus, rather than only in the proposed traffic island.

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

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

STAFF COMMUNICATIONS:

The Planning Commission acknowledged the Notice of Intent for the following items:

1. Notice of Intent (to review/approve project at staff level)
   a. Bell Gas Fuel Island Canopy. AP-04-183 (DR)

The Commission was presented with copies of a letter from a representative of Fort Knox Storage advising of the problems with drainage on the property and the status of efforts to resolve the problems with the landscaping on the site. Also concerns expressed by the Commission with the vehicles on the Harbor Street property owned by Mr. Bashir Rahimi had been addressed by City staff. Mr. Rahimi had been notified by letter, with copies to the Commission, advising Mr. Rahimi of the need to cease operation of the business until it had been brought into compliance. Mr. Rahimi had been invited to meet with staff to discuss how to legally operate the business.
It was also reported that on Tuesday, January 18, 2005, the City Council would be holding a workshop from 5:00 to 6:00 P.M. to review a community survey related to City services and facilities.

The Commission had also been provided with copies of a press release relating to the changes in the circulation plan for the State Route 4 and Railroad Avenue Widening Project.

Commissioners were advised that the APA State Conference had been scheduled for April 13-15, 2005, with the National Conference to be held from March 19-23, 2005. In addition Commissioners were notified that the commission dinner would be held this year in May or June.

Ms. Ayres also reported that the Redevelopment Agency’s Tenth and Railroad project, which had not been approved by the Planning Commission, had been appealed by the City Manager to the City Council. She understood that staff had revised the resolution of approval before the Council hearing on the matter and had incorporated many of the Commission’s recommendations into the resolution. The City Council had upheld the appeal.

Ms. Ayres advised that the City Manager would be making a presentation to the Commission at its next meeting to introduce himself and to present his vision for the downtown and the projects that were currently being considered in the downtown area.

Ms. Ayres further reported that staff was back on track with the zoning code update which would be brought to the Commission in sections for review from April through July. The public would be notified of any changes to properties and the proposed schedule of public hearings. Staff was also considering scheduling an in-house meeting with the public for the public to address any concerns with any possible zoning changes before the changes were presented to the Commission in order to streamline the process as much as possible. Once those meetings were completed and feedback provided, all information would be folded into one document with new public hearings scheduled along with environmental review. The changes would be presented to the City Council for final action at the end of 2005. No changes to the administrative chapters or design review chapters were expected until the following year.

Commissioner Tumbaga commented that the Consortium of Cities in the County had completed an analysis of impediments to fair housing. She asked that the Commission be provided with copies of the analysis in respect to the Zoning Ordinance.

Ms. Ayres clarified, when asked, that the State Department of Housing and Community
Development (HCD) staff were in the process of reviewing the City’s Housing Element. The 90-day review period of that document was due to end during the month of January. She was confident that the City was in good shape.

Ms. Ayres added that the Inclusionary Zoning Ordinance had been approved by the City Council in November 2004, minus the fee which the development community had been informed would be based on development costs. She noted staff had held two workshops with the development community to consider alternative fee models. The fee issue had been scheduled for a public hearing before the City Council on January 18, although the Council would be asked to continue the item to its first meeting in February to allow staff the opportunity to complete the staff report for that item.

**COMMITTEE REPORTS:**

There were no Committee Reports.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Ohlson stated that he had been invited to speak formally before the City Council regarding the Commission’s decision on the Tenth and Railroad Avenue project. He had not spoken to the Council on behalf of the Commission since he had not prepared any written comments nor had he received any authorization from the Commission to speak on behalf of the Commission. He sought direction for how a Commissioner was to speak formally before the City Council in such a situation.

Commissioner Ohlson acknowledged that Commissioner Gordon had also been present for that meeting and had addressed the City Council. He also spoke to the Tentative Schedule of Commission meetings, included in the staff report and asked that those projects outside of the City limits or the Urban Limit Line (ULL) be identified on that schedule. He also asked that staff research the tree replacement issue in that he understood that the Commission could request replacement in kind. He also understood that the City of Antioch had a similar regulation.

Chairperson Garcia expressed his hope that staff would have taken the lead to provide information on the reasoning of the Commission’s intent for the Tenth and Railroad Avenue project, although he recognized that the item had been appealed so fast that the minutes from the Planning Commission meeting when it had been considered had not been included in the City Council packets. He asked staff to take the lead to advise the Council of the Planning Commission’s reasoning behind its decision.

Commissioner Tumbaga suggested that when a Commission item was appealed to the Council, the Chair, as the spokesperson for the Planning Commission, should be given the opportunity to address the Council, if invited to do so.
Chairperson Garcia asked that the Chair be notified at such time any item from the Planning Commission was appealed to the City Council.

Commissioner Gordon affirmed that he had spoken to the City Council on the appeal of the Tenth and Railroad Avenue project at which time he had stated that he could not speak on behalf of the Commission as a whole. He suggested that if a member of the City Council invited a Commissioner to speak to an item that Commissioner should speak as an individual.

Chairperson Garcia inquired of the status of the Piedmont and Leland Road signal light which was to have been installed by K&B.

In response, Senior Civil Engineer Alfredo Hurtado noted that staff had no word on the status of the signal and would have to look into that issue.

Commissioner Gordon again commented on the City Council’s discussion of the Tenth and Railroad Avenue project, where a comment had been made to a speaker that it was too late to bring up the issue of the historical relevance of the building to the City Council in that the Historical Resources Commission (HRC) would have been the proper place to raise that issue. The Mayor had stated during that meeting that the Planning Commission now served as the HRC. He noted that individual had been working with staff long before the project had been brought to the Planning Commission.

Commissioner Gordon commented that there were some discrepancies within portions of the General Plan, such as property at 329 Railroad Avenue which had been shown on the preservation map but which had not been listed by address.

There were other buildings that had been listed that according to the Redevelopment Agency staff had indicated, as an example that the building at Fifth and Black Diamond Street would be torn down although that building had been included on that preservation list.

Commissioner Gordon recommended that the Planning Commission, if it did sit as the HRC, include that fact on regular meeting agendas even if there were no projects of note since that would allow anyone wishing to speak to such an item an opportunity to do so.

Ms. Ayres stated that she would have to review the ordinance that had recently been adopted by the City Council which had made changes to the City’s Commissions/Committees, and at which time a new HRC had been established but which had not been activated. She recalled that the formation of the HRC was to include only the Chair of the Planning Commission along with other appointed individuals, with one set of duties and with the Planning Commission to act as the HRC for any design review of an historic building. Copies of that ordinance could be made available to the Commission at its next meeting to provide clarification.
ADJOURNMENT:

There being no further business, the meeting adjourned at 9:42 P.M. to a regular meeting of the Planning Commission on January 25, 2005 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

MELISSA AYRES, Secretary
Pittsburg Planning Commission