A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Jack Garcia at 7:00 P.M. on Tuesday, August 24, 2004 in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

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

Excused: Commissioner Dolojan

Absent: None

Staff: Director of Planning and Building Randy Jerome, Planning Manager Melissa Ayres, Associate Planner Ken Strelo, Associate Planner Noel Ibalio, and Senior Civil Engineer Alfredo Hurtado.

POSTING OF AGENDA:

The agenda was posted at City Hall on Friday, August 20, 2004.

PLEDGE OF ALLEGIANCE:

Commissioner Williams 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:**

There was no Consent Calendar.

**PUBLIC HEARINGS:**

Commissioner Tumbaga stepped down from the dais due to a potential conflict of interest with the first agenda item.

**Item 1: Fort Knox Reconsideration Request.**

Public hearing on a request to reconsider Commission revocation of Use Permit Nos. 97-02 and 98-10 allowing the operation of a warehouse and storage facility at a site currently addressed as 3865 Railroad Avenue in the CO-O (Commercial Office w/Overlay) District; APN 088-072-062 and 088-072-065.

Associate Planner Noel Ibalio presented the staff report dated August 24, 2004. He recommended that the Planning Commission accept the applicant’s reconsideration request and through a minute order suspend Resolution No. 9504 revoking UP 97-02 and UP 98-10 until September 28, 2004.

Commissioner Gordon inquired of the staff time and cost associated with the time involved for the revocation hearings in terms of the costs to the City.

Mr. Ibalio estimated that staff had expended between 30 to 40 hours since February 2004 on the item. In further response to Commissioner Gordon as to whether or not the conditions of approval imposed on the U-Haul truck operation that was located on the same property had been completed, he explained that the U-Haul business had been designated as an ancillary use to the original use permit for the self-storage facility. As such, if the original use permit was ultimately revoked the U-Haul operation would also be terminated. Due to the reconsideration request and until the Commission had made a decision on this latest request, the original use permit would remain valid.

Commissioner Gordon again questioned whether or not the conditions of approval related to the U-Haul operation had been met.

Mr. Ibalio advised that the conditions for the U-Haul operation had essentially reflected the same conditions of approval as the original use permit related to landscaping, installation of the fence and paving which had not been completed since the applicant was awaiting the decision from the Commission on the request to reconsider the action to revoke the original use permits.

Commissioner Ohlson stated that he had visited the site this date and had verified that the applicant was working on the wall. There was a crane on site to place the panels for the
Planning Commission Minutes  
August 24, 2004

wall. While it had taken the applicant seven years since the original conditions had been imposed with a possible revocation of the use permit to act, he suggested it was clear that the applicant was aware of the necessity to complete the wall and other required improvements. In his opinion, it was reasonable to suspend the revocation of the use permit to the Commission meeting of September 28 to allow the applicant to continue building the wall and to allow staff to present a status report on the work at that time.

PUBLIC HEARING OPENED

PROPOONENT:

JOHN CAMPAGNA, Fort Knox Pittsburg, LLC, 260 Lakewood Road, Walnut Creek, commented that most of the main wall was up. While two pieces were missing, they had been poured and completed and were to be brought to the site in the next week. The installation of the caps on top of the wall, the repairs to the wall and the preparation to paint the wall was also being planned this week. Painting of the wall should occur next week. In the meantime, the landscaper was digging a trench that paralleled the wall to accommodate the electrical and water. Once that work had been completed and the wall painted, the landscaping work could be finished. He anticipated that the work would be completed by September 28, 2004.

As to the work in the rear of the property, Mr. Campagna advised that they were ready for the permits and approvals from the Building Department. He understood that the permits were ready to be issued but had been delayed as a result of the subject revocation process.

Planning Manager Melissa Ayres acknowledged that the Planning Department had issued a notice to the Building Division not to issue a building permit, after the revocation of the use permits had been determined by the Planning Commission. The relocation of the water lines and landscaping were tied to those permits. Unless the Commission suspended the revocation of the use permits, the Planning Division would not authorize the Building Division to issue a building permit to construct new building and relocate the water lines. If the Commission were to suspend the revocation of the use permits, the applicant could then pull the building permits to allow the relocation of the water lines for the landscaping and irrigation.

In response to Commissioner Gordon, Mr. Campagna explained that he was confused as to the conditions related to the U-Haul operation. He had been informed that the applicant could not move on anything pending the status of the revocation hearing.

Mr. Ibalio understood that if the Planning Commission were to suspend the revocation resolution, the applicant could not pull any building permits until September 28 when the Commission at that time made a decision to either rescind the revocation resolution or to uphold the revocation resolution, in which case the applicant had filed an appeal to the City...
Council.

Ms. Ayres noted that the applicant did not want to plant the landscaping until water was available to the site for irrigation purposes.

Mr. Campagna acknowledged that the landscaping could be planted although it would have to be hand watered. The water lines could not be relocated until the revocation matter had been resolved.

Chairperson Garcia recommended that the building permits be issued to allow that work to commence since the rear of the property could not be completed until the permits had been issued.

Ms. Ayres pointed out that the landscaping plan would be done in phases. The applicant planned to install the landscaping in front of the wall with another section to the east of the existing building would not be planted at this time because the applicant needed that area for a construction set up space and because construction trucks would be entering and exiting site from that location while the new building was being constructed. Landscaping would not be planted in that area until the building had been completed.

While he recognized those problems, Chairperson Garcia wanted the permits to be issued. He did not want to place the applicant in a Catch-22 situation.

Commissioner Gordon requested a status report on the work required for the U-Haul operation when the applicant returned on September 28.

Mr. Campagna understood that the applicant had agreed to do some paving in certain areas for the U-Haul trucks, along with striping. The applicant had also been willing to install speed bumps and associated signage.

Commissioner Gordon stated that he would be inclined to grant the reconsideration request although he wanted to be apprised of the status of the conditions for the U-Haul operation and the time lines involved for those improvements when the project was next presented to the Commission.

INTERESTED SPEAKER:

PETE CARPINO, 151 El Camino Drive, Pittsburg, recognized that the applicant had made an effort over the past few weeks to complete the wall. He advised that he had a petition signed by twelve neighbors who lived adjacent to the property who were also in support of the reconsideration request.

Mr. Carpino otherwise inquired whether or not the camera in the alleyway would be replaced.

Mr. Campagna advised that the applicant would be installing a new system.
Mr. Carpino also spoke to the original conditions of approval regarding the hours of operation for the self storage facility. He presented the Commission with copies of the original resolution of approval, specifically Condition No. 13, which had stipulated that the hours of operation were to be from 7:00 A.M. through 7:00 P.M., Monday through Friday, 8:00 A.M. to 6:00 P.M. on Saturdays and 9:00 A.M. to 6:00 P.M. on Sundays. The business currently operated from 7:00 A.M. to 7:00 P.M. seven days a week. At times some people had accessed the site as late as 9:30 and 10:00 P.M.

Mr. Carpino added in response to Commissioner Williams that the original hours of operation had been acceptable to the neighbors.

Mr. Campagna commented that during a previous discussion there had been mention of the hours of operation for the business from 7:00 A.M. to 7:00 P.M. He was unaware of the stated hours of operation for the weekend periods. He suggested that had involved a different approval when the property adjacent to the site had been purchased and when it had been assumed that the hours would be from 7:00 A.M. to 7:00 P.M. He emphasized that he could not agree to the original stated hours of operation at this time without consulting his partners.

Mr. Campagna added that he had recently learned that the software had been malfunctioning for the gate to the facility, which had allowed people in after hours. The gate was to be locked at 7:00 P.M. New software had been purchased to rectify that situation.

Chairperson Garcia asked that the applicant be prepared by the next meeting to address the issue regarding the hours of operation.

Ms. Ayres advised that staff would have to further research that matter as well.

PUBLIC HEARING CLOSED

MOTION:

Motion by Commissioner Ramirez to accept the applicant’s reconsideration request and through a minute order to suspend Resolution No. 9504, revoking UP 97-02 and UP 98-10 until at least September 28, 2004, and directed staff to report on the progress and compliance with the approved conditions at that meeting.

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

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

Commissioner Tumbaga returned to the dais at this time.
Item 2: Kingdom Hall of Jehovah’s Witnesses. AP-04-116 (UP and DR).

Public hearing on an application by Kenneth Crosley for a use permit to operate a church and design review approval of architectural and site development plans to construct a 4,500 square foot building on a 1.28-acre lot located at the northwest corner of Solari Street and East 12th street. The site is zoned CS-O (Service Commercial with a Limited Overlay) District. APN 086-132-001.

Associate Planner Ken Strelo presented the staff report dated August 24, 2004. He recommended that the Planning Commission adopt Resolution No. 9511 approving Use Permit No. AP-04-116 and Resolution No. 9512 approving Design Review No. AP-04-116, subject to conditions of approval.

Mr. Strelo understood that the applicant was in agreement with most conditions of approval. The applicant has presented a colors and materials board and new plans that reflected many of the conditions of approval that had been recommended by staff.

Commissioner Ohlson spoke to Resolution No. 9512, particularly Condition No. 15, and requested clarification from staff as to the intent of that condition. He also requested clarification of the reference to FAR in the chart in the staff report.

Mr. Strelo advised that Condition No. 15 of Resolution No. 9512 was a requirement for channel numbers on the building in contrast with the building face for address identification in response to the Contra Costa Fire Protection District requirement for address identification. The channel numbers would consist of three dimensional block numbers to be mounted and located on the side of the building. The numbers would not be illuminated.

Mr. Strelo added that FAR spoke to the Floor Area Ratio, which was a development regulation for some zoning districts. While lot coverage standards measure the footprint of the building in comparison to the size of the lot, the FAR measures the entire floor area in relationship to the lot size. As an example, a two-story building that would cover half of a site would have an FAR of 1.0 [one hundred percent]. The FAR for the subject building is 0.8 meaning the one-story building covers 80 percent of the lot area.

Commissioner Ohlson also sought a clarification of some of the symbols on the plans. He was advised of the meaning of those symbols. He also cited the same plans and commented that some of the seating had shown numbers titled SD. He requested clarification as to the intent of that seating.

Commissioner Williams inquired whether or not the proposed windows on the building would be standard windows or shutters.

Mr. Strelo explained that some of the windows would consist of acrylic block on the Solari
Street elevation since the applicants wanted material that could withstand potential vandalism. The windows would allow light to pass through although they would not allow one to view through them.

In response to Commissioner Williams, Mr. Strelo clarified that there were two ways to measure parking requirements for religious assemblies, number of seats and square footage of assembly area. Since the project will have individual seats, staff had chosen the parking requirement based on the number of seats in the facility. Based on those calculations, 45 parking spaces would be required. The applicant’s plans showed 47 parking spaces, two over the required parking. The project would therefore meet the City’s minimum requirement. Overflow parking would be allowed on 12th Street.

Chairperson Garcia pointed out that overflow parking could be an issue in that there was another church located across the street (to the south) which had no on-site parking. Having driven past the site on a recent Sunday, he had viewed backups on Solari Street and vehicles parked on both sides of 12th Street. Since he understood that the skating rink was always empty, he noted the possibility that property could be used for parking.

Mr. Strelo stated that the referenced property had vacant land (north of the proposed church structure) that was not being developed. If parking were to become an issue, he suggested that it might be possible to encourage the applicant to pave some of the property north of the building for parking purposes.

PUBLIC HEARING OPENED

PROPOSENENT:

JACK FRESKOS, 1493 Rancho View Drive, Lafayette, identified himself as a member of the Jehovah’s Witnesses and the representative of the Pittsburg congregation. He commented that he dealt in real estate and finance and had handled the purchase of the land and the subdivision of the property. He appreciated the consideration of the proposal in a Service Commercial zoning district.

Mr. Freskos referenced the modest homes across the site also on Solari Street that he suggested would be a good buffer between the homes and the Service Commercial zoning district. He reported that the building would be long and low with no steeples. The building would be a simple meeting center much like a small library, similar in size but not as large as the Council Chambers. The meeting center would be used as an education center where families would come to worship. There would be no Sunday School since children would come to the meetings with the adults. He therefore did not anticipate any parking issues.

Mr. Freskos acknowledged that there was room on the property to expand the parking lot if parking were to become an issue.

Mr. Freskos added that the project architects and engineers were all volunteers. He...
commented that they had a reputation for building their buildings rapidly. The volunteers who would be constructing the building would be skilled craftsmen, engineers, architects and unskilled laborers from all over. It was probable that the building would be constructed in a matter of two to three weeks. The church had constructed similar buildings in a short period of time. He cited the congregation in the City of Pleasant Hill where that building had been constructed in one weekend approximately 18 years ago.

Chairperson Garcia inquired whether or not the applicant had read and was in agreement with the staff recommended conditions of approval.

KENNETH CROSLEY, Chair of the Building Committee for the Jehovah’s Witnesses Church, speaking from the audience stated that he had no concerns with the staff recommended conditions of approval.

Commissioner Ohlson spoke to Page DR-4 of the applicant’s plans and the upper left corner of the parking lot where the plant list had shown plant material titled, AW, which had not been called out on the chart for the plant list.

DAVID KIM, 2319 Pepper Drive, Concord, explained that the landscaping plan had not been finalized, but that the plant key on the final plans would clarify that information. He also clarified that the identification of SD on the plans represented seating for the deaf. The church would likely be using an FM booster for those who were hard of hearing and who would be able to use a radio, although that was still being reviewed. He added, when asked, that they would comply with accessibility requirements for the disabled and the hearing impaired.

Commissioner Ohlson also spoke to Resolution No. 9512, Condition No. 9 and the condition for the provision of bicycle racks. He encouraged the applicants to consider the new wave bicycle rack equipment, which would bolt to the concrete and which had been successfully used at the new Pittsburg Senior Center. Commissioner Ohlson stated that information on that equipment was also available on the Internet at www.bikeparking.com.

Mr. Kim clarified the revisions made to the building in response to the staff recommendations and as reflected in the revised plans, including larger columns at the entry. The revised building elevations showed a hip roof, special corner treatments and larger pilasters. There would be wainscoting all around the building with a manufactured veneer. Further, the use of glass block windows would allow natural lighting while preventing access through the windows. The glass block would be 8 x 8 inches in size, consisting of glass cubes with a rippled effect that would prevent someone from seeing inside the building while still allowing some lighting to filter through at night.

OPPONENTS: None

PUBLIC HEARING CLOSED
MOTION: AP-04-116 (UP)

Motion by Commissioner Williams to adopt Resolution No. 9511, approving Use Permit Application No. AP-04-116 (UP), to operate a church in a proposed 4,500 square foot building located at the northwest corner of Solari Street and East Twelfth Street for “Kingdom Hall of Jehovah’s Witnesses,” with the conditions as shown. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

MOTION: AP-04-116 (DR)

Motion by Commissioner Williams to adopt Resolution No. 9512, approving Design Review Application No. AP-04-116 (DR), to construct a 4,500 square foot building and install landscaping and a parking lot on an undeveloped 1.28-acre lot located at the northwest corner of Solari Street and East Twelfth Street for “Kingdom Hall of Jehovah’s Witnesses,” with the conditions as shown. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

STAFF COMMUNICATIONS:

Ms. Ayres presented information to the Commission on the 1996 Development Review Design Guidelines which was used by staff to review projects. She also reminded the Commission of the joint workshops scheduled with the City Council on September 7 and September 20 in the Council Chambers. The workshops had been scheduled for 5:00 to 6:30 P.M. The meeting of September 7 would involve a presentation on the inclusionary housing feasibility study by the consultant. The meeting of September 20 would involve a discussion on the preferred components of such an ordinance with staff seeking direction from the Commission and council as to what they want to see in the ordinance which would be brought back Planning Commission and City Council review during a formal public hearing process.

Commissioner Williams stated that she would be out of town and would not be in attendance at the September 28 Planning Commission meeting.
Commissioner Gordon advised that he would be out of town and would not be present for the September 20 joint workshop with the City Council and the Planning Commission.

**COMMITTEE REPORTS:**

There were no Committee Reports.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Gordon commented on the deteriorated condition of the Wal-Mart parking lot. He inquired whether or not Wal-Mart could be approached to repave the parking lot. He also expressed concern with the recent traffic circulation from the new State Route 4 off-ramp at Railroad Avenue, which was difficult for northbound traffic on Railroad Avenue coming off of the freeway with no northbound exit. That circulation required traffic to circulate up to Leland Road, from Leland to Harbor Street and then northbound on Harbor Street to the ultimate destination. He requested the placement of a temporary stop sign on Harbor Street at Bliss Avenue.

Commissioner Tumbaga commented that a temporary stop sign could be a problem much like when a temporary stop sign had been placed at Garcia Avenue on Harbor Street which had resulted in traffic backing all the way to Harbor Street past Leland Road where the school children could not get to school on time.

Ms. Ayres noted that the Traffic Division was closely monitoring the situation. Staff could present Commissioner Gordon’s recommendation as an alternative.

Commissioner Ohlson expressed a desire to see tree canopies over parking lots consistent with General Plan policies.

Commissioner Williams inquired whether or not it would be possible for the Commission to tour potential and future projects in the City, much like what had been provided to the Leisure Services Commission for their projects. Such a tour would better familiarize Commissioners with future projects.

Ms. Ayres suggested that such a field trip/tour would be appropriate for projects such as Sky Ranch, San Marco Meadows or the Alves Ranch sites.

Commissioners discussed the desire to see those developments including the Highlands Ranch, Montreux and Bailey Estates sites. Appropriate times to view those properties were discussed particularly prior to the commute periods and inclement weather.

Ms. Ayres agreed that such a tour would be beneficial for the larger projects as described. With respect to the revisions to the zoning codes and amendments to the design review...
ordinances, she suggested that the Commission could also evaluate some projects that had already been constructed to identify the Commission's likes or dislikes with possible recommended changes for future development, to be incorporated into the design guidelines.

Commissioner Ohlson noted that it would be beneficial to review the Alves Ranch property before it was brought back to the Commission, particularly as it related to potential impacts to the creek on the property as identified in the project Environmental Impact Report (EIR).

Commissioner Tumbaga referenced the recent approval of the Los Medanos (E. Leland Subdivision) residential development where she had raised a question at that time whether or not an affordability component would be included. She commented that she had attended a recent Redevelopment Implementation Plan meeting where she had raised the same question about affordability. She noted that there were Redevelopment areas which required an affordability component aside from any inclusionary zoning ordinance that could be imposed. She had asked the Redevelopment Agency to meet with the Planning Commission to discuss that issue.

Ms. Ayes reported that the recent approval of the Elks Lodge had been appealed by a resident. The appeal had been scheduled before the City Council on September 20.

Mr. Jerome added that the Warren Smith property on Bailey Road was currently being cleaned up. Mr. Smith had passed away and his daughter, who had taken possession of the property, was cleaning up the property.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:10 P.M. to a regular meeting of the Planning Commission on September 14, 2004 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission