MINUTES
OF THE SPECIAL MEETING/WORKSHOP
OF THE
PITTSBURG PLANNING COMMISSION
May 15, 2001

A Special Meeting/Workshop of the Pittsburg Planning Commission was called to order by Chairman Kee at 7:35 P.M. on Tuesday, May 15, 2001, in the City Council Chambers Board Room of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:
Present: Commissioners Glynn, Holmes, Kelley, Leonard, Tumbaga, Valentine, Chairman Kee (Commissioner Valentine arrived after roll call)
Absent: None
Staff: Planning Manager Randy Jerome; Associate Planner Avan Gangapuram; Administrative Assistant II Fara Bowman.

POSTING OF AGENDA:
Chairman Kee advised that the agenda had been posted at City Hall on Friday, May 11, 2001.

CONTINUED PUBLIC HEARING:


Public Workshop/Special Public Hearing on the proposed Draft General Plan and proposed General Plan land uses and policies for the comprehensive update of the City's General Plan, "Pittsburg 2020: A Vision for the 21st Century." The General Plan designates land uses and appropriate policies to guide future growth throughout the City of Pittsburg. This workshop/public hearing to focus on reviewing the hillside analysis prepared by the City's consultant and evaluation of proposed hillside/ridgeline development policies. (Continued from May 8, 2001).

Associate Planner Avan Gangapuram identified the San Marco area with a land use designation of Medium Density Residential and presented the visual analyses that had been prepared to offer a
conceptual appearance for how the area could appear when graded for development. Another area off of Kirker Pass Road was identified with a visual depiction of the existing condition of the area and a visual depiction of how that area could appear with single family development.

Chairman Kee inquired whether or not the graphics presented were representative of the maximum density that would be allowed in those areas that had been analyzed.

Mr. Gangapuram explained that the maximum density allowed would be Medium Density Residential, consisting of 14 units per acre. The visual analyses had depicted 14 units per acre. He recognized that the visual analyses were intended to give the appearance of how the development could appear in those areas. Visual analyses had also been prepared to depict how the foothills might appear if developed.

Planning Manager Randy Jerome advised that the visual analyses were descriptive only and not indicative of how the projects might appear on the ridgelines and hillsides. The visual analyses had been prepared to provide a scale and a perspective of development in relationship to the hillsides. He referenced the Montreaux project along Kirker Pass Road, and the Oak Hills development which consisted of much smaller lots than had been proposed for the Montreaux development.

JOHN STREME, the owner of Bailey Estates, commented on the visual analyses that had been prepared and clarified that what was being shown for his property was not the product of what had been envisioned for the site. He also questioned the accuracy of the orientation of the property as referenced on the map.

Mr. Stremel further clarified that the entire area to the south towards the northwest and across the corner of the property had effectively been placed into a wetland habitat, and while no residential homes would be permitted in that area, development had been included in the visual analyses.

Mr. Gangapuram explained that homes had been depicted in the visual analyses only as a representation of how the area could appear if the foothills were graded and residential units were developed.

Mr. Stremel also referenced the map that identified the orientation point to the major ridgelines and those across his property, which he noted were also in error.

Mr. Gangapuram affirmed that an error had been made in the calculations of the visual analyses. He walked the Commission through the area of Mr. Stremel's property to clarify the orientation points.

Mr. Jerome reported that a field trip had been conducted on Thursday, May 10, where staff and Commissioners Glynn, Leonard and Kelley had participated in viewing Mr. Stremel's property, the area of Kirker Pass Road along Nortonville Road, and the Black Diamond Mine area, to get a sense of the Nortonville Road Valley.

A field trip had also been taken to get a view of the hillsides from the perspective of Buchanan Road,
State Route 4 and the area of Bailey Estates along Bailey Road. He added that staff would be more than willing to schedule another field trip with the remaining Commissioners if they so desired. Mr. Jerome presented the Commission and members of the audience copies of the map that depicted the hillside views along Railroad Avenue, Kirker Pass Road and crossover areas that were visible from the lower areas around State Route 4 and Railroad Avenue. He explained that the ridgelines that had been identified on the map were from the consultant's point of view. He acknowledged that some of the ridgelines that had been depicted on the map might not be actual ridgelines. He also identified ridges that had been identified on the maps as representative of only those ridges that were visible. The major ridges that had been represented on Figure 4-2 were not shown on the map.

Mr. Gangapuram identified the location of the major ridgelines based on altitude and topographic sheets. He reported that other graphic techniques had been used to identify minor ridgelines, which were an extension of the major ridgelines.

Mr. Jerome explained that the goal of the General Plan, as drafted and which could be modified, had been to identify major ridges and significant minor ridges that were highly visible that staff recommended be preserved from any development. Other policies related to slopes and the like. The focus of the workshop at this time was to discuss the visible ridgelines.

In response to Commissioner Tumbaga, Mr. Gangapuram referenced the General Plan Diagram and Figure 4-4, which had not identified major ridges. The only area where there had been an identified major ridge was south of San Marco Meadows as identified in the visual analyses. The height of the hills that had been cut in that area did not constitute a ridge.

Commissioner Valentine inquired whether 100-foot hills were being cut down or one that peaked at 200-feet in height.

Mr. Gangapuram described the definition of a ridge and a hillside. Again referencing the map, he identified an area in San Marco Meadows that would be exempt from the hillside and ridgeline policies where residential development had been shown on either side of the ridges and which would be visible from two to three different areas. He also identified the area of the Sky Ranch proposal where there could be some issues with respect to development.

Commissioner Valentine referenced the Camp Stoneman property and requested clarification from staff with respect to the development of the hills on that property.

Mr. Jerome identified the area known as Stoneman Park, which was part of Camp Stoneman and which had been deeded to the City by the United States Government. He explained that deed precluded any use of that land other than as park land.

Mr. Jerome also clarified that everything between Bailey Road east to Kirker Pass Road, with the exception of some identified areas on the map, consisted of landfill or buffer area for the landfill. The area between Bailey Road and the PG&E corridor would involve no development in the foreseeable future, other than development which might occur related to the landfill.
Commissioner Tumbaga referenced the policy regarding the limitation of development within 100 feet above vertically and horizontally designated ridgelines. She inquired whether or not the ridgeline being referenced on the map in the San Marco area was an example of a 100 foot ridgeline.

Mr. Gangapuram clarified that the policy was intended to limit development 100 feet from a ridgeline. He clarified that one of the hillsides being depicted on the map and being discussed was not a ridgeline. Also speaking to the map, he identified the height of some of the ridgelines in the area around the Bailey Estates property, along with other major and minor ridgelines.

Mr. Jerome further clarified that major ridgelines were those ridgelines that separated watersheds and were at the highest elevations, as depicted on Figure 4-2 on the General Plan Map. Minor ridges were identified below the major ridgelines as identified on the map. A minor ridge could be graded with the major ridge still visible behind it, although the question was whether or not the Commission desired that such development be permitted in the General Plan.

Commissioner Valentine recalled during the public hearings that the public preferred to retain the small ridgelines and did not want the small ridgelines graded down with only the major ridgelines left standing. He emphasized that was also his preference, not only from a visual standpoint but because the land could be unstable.

Mr. Jerome advised that staff had only identified development on a couple of the visible ridgelines. The purpose of the visual analyses had been to show what was really visible from the roadways, either from Bailey Road or Kirker Pass Road.

Commissioner Valentine understood that the City had far more smaller ridgelines than major ridgelines. While he recognized that the Commission was only discussing one hillside in the Bailey Estates property, he inquired whether or not that hillside would be allowed to be developed.

Mr. Jerome stated that he was not aware of any development proposed for that area. He again identified the area where residential development had been designated in that particular area.

Mr. Gangapuram referenced the San Marco Meadows area and the location of minor and major ridges where residential development had been designated as identified on the map. He also identified restricted areas where development would not be possible given the very steep topography.

Commissioner Valentine inquired how many 200-foot hillsides would be graded in the area based on the General Plan policies. He expressed concern with the way the policies had been written where many hillsides could be graded down to allow for development.

An unidentified member of the audience commented that the General Plan had shown zero
progressions and ridges that could be seen from all six viewpoint locations. He understood that a conglomerate should have been provided to show that it would not overlap on all six viewpoint locations at one time. There was a question as to whether or not the General Plan consultant had prepared such an exhibit. If so, a copy of that information was encouraged to be provided to the public.

Mr. Jerome explained that the General Plan consultant had prepared such an exhibit although it had proven not to be useful to the process.

Mr. Gangapuram affirmed that the analysis that had been prepared by the General Plan consultant could be provided to the public as had been identified in the viewshed analysis that had been presented earlier in the meeting. Five viewpoint locations had been narrowed down where the General Plan had designated certain land uses where future projects could be developed. Thereafter, the locations had been evaluated to determine whether or not any ridges or steep slopes would be visible.

Mr. Jerome commented that of the viewshed analyses that had already been included in the proposed General Plan, many of the hills were not visible from even one analyzed viewpoint since there was a hill in front of it. During the recent field trip of the City's hillsides, those who had participated had tried to determine where most people would be viewing the hillsides, either from State Route 4, Railroad Avenue or from some other location.

Commissioner Valentine suggested that was assuming that people were out on the road driving, walking, or riding a bicycle, rather than out in the street, in the neighborhood, in one's backyard or at a shopping center. When advised by Mr. Jerome that the viewshed had been identified from public areas, he emphasized that there were many hillsides and ridgelines that were not visible from the identified viewsheds. If not visible from the viewpoints, he questioned whether or not they could be removed.

Mr. Jerome clarified that was not the intent of the analyses that had been prepared since the purpose of the analyses had been to serve as a guide to making policy. He reiterated the areas on the map, as identified, where staff and the consultants had defined development potential based on development proposals the City had received. Everything else comprised open space. He added that the General Plan included a policy that some of the open space areas might be developable in terms of environmental safety and other considerations. That would be further limited by some of the ridgeline and hillside policies.

Commissioner Glynn noted that the map presented for the discussion had not shown how much of the land was staff-identified developable area, which had already been approved for development. He also questioned the slope ratios and the number of buildable lots within particular pieces of property, such as San Marco or Bailey Estates, where some type of grading plan would be brought before the Planning Department, or the Planning Commission, and where a developer might seek some approval to develop in restricted areas to make the project worthwhile.
Commissioner Glynn questioned whether or not such instances would be exempt from the policies that the Commission was attempting to impose at this time.

Speaking to the San Marco development, Mr. Jerome explained that the project had already been approved for development. Oak Hills had also been approved and was commencing with development.

Commissioner Glynn verified with staff that the purpose of the policies was to have some kind of vision imposed on developable land that was not already approved or in process. He also noted the need to define the significant ridgelines that absolutely could not be developed based on the information presented to the Commission at this time.

Chairman Kee suggested that the two maps presented for the discussion should be overlaid so as to identify the location of the ridges in terms of the developable areas. He commented that although some of the small hilly areas might not be designated as major ridges, they might be severely graded to develop homes. Although they might not be visible from all points in the City where there were roads near them, they could be seen and could become flattened out land in various elevations.

Mr. Jerome acknowledged that the development in hillsides was not necessarily attractive. He noted that the San Marco area that was currently being graded would dramatically alter the entire area, although that was the nature of development in the hillsides, with the exception of large lots in wooded areas where the grading was not as obvious.

Chairman Kee inquired whether or not the policies would encourage planting within the hillside, to which Mr. Gangapuram explained that such mitigation measures would be imposed on a project by project basis through an Environmental Impact Report (EIR) process, where one of the recommendations would be to preserve as much of the hillside as possible. In such instances where rooftops were visible, mitigating measures could be imposed to screen those rooftops from view.

Chairman Kee suggested that even beyond where the rooftops were visible, planting would screen a multitude of potential visual impacts.

Commissioner Tumbaga opposed any development of the hills, although she referenced areas of Orinda where many of the homes were not visible on the hillsides due to the heavy growth of trees and other vegetation.

In response to Commissioner Tumbaga, Mr. Gangapuram identified the four areas on the map that had been designated for possible residential development. He explained that the previous General Plan had shown other areas for development, although due to the steepness of slopes and elevations those sites had since been determined not to be appropriate for development.
Commissioner Tumbaga commented that people who wanted to build would find ways to build what they wanted. She expressed concern with the future damage that could be done to the City's hillsides. She referenced development in areas such as Daly City and emphasized that was not the type of development she wanted to see in the City's hillsides. While acknowledging those areas that had already been designated as developable, she expressed a preference not to let anything else become developable in those areas.

Mr. Jerome referenced the three alternatives that had been discussed and the alternative chosen for moderate hillside development where anything less than a 30 percent slope was designated for development.

Commissioner Valentine inquired how many of the proposed developable areas would require the formation of a Geological Hazard Abatement District (GHAD).

In response, Mr. Jerome explained that typically anywhere there was surplus land that was too steep for development would be turned over to a GHAD, with assessments to be used to fund any corrections for soil stability purposes.

Commissioner Valentine referenced the GHAD in the Oak Hills development where he understood funds received by homeowners in the district had been used to pay attorney fees. None of the fees had been used to rebuild any of the homes. If the land was unstable to support development, he questioned why homes had been designated on the developable areas where the homeowners would be at risk.

Mr. Jerome noted that the slopes were located above the home sites. Speaking to the Oak Hills development, if there was instability that required correction through slope stabilization, the funding must come from the homeowners. He explained that such instances were not unusual with hillside development.

Commissioner Valentine again questioned putting prospective homeowners at risk, and Mr. Jerome advised that was the nature of hillside development. Many of the hillside developments involved a regrading of the site, with the grading typically removing any problems with respect to soil instability, with the exception of those areas that were not developed. As to the Oak Hills site, the GHAD covered those areas that were not developed and involved those hillsides that had steeper slopes adjacent to some of the existing development.

JAY TORRES-MUGA, representing the Seeno Development Company, explained that many of the funds that were paid into the GHAD were utilized for the annual maintenance of all of the drainage facilities within the project.

Referencing the Oak Hills property, Mr. Torres-Muga noted that the area included a number of features that required maintenance.

Commissioner Valentine stated that he had reviewed the GHAD reports from the last couple of years and none of the funds received had been utilized for such maintenance.

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Mr. Torres-Muga noted that the GHAD for the Oak Hills development was in its infancy. The boundaries of that district would encompass hundreds of units. Currently, only a few units had been built, although at full buildout there would be a substantial amount of monies that would go into that fund. He clarified that the Oak Hills and San Marco developments were all part of the same GHAD.

Commissioner Valentine referenced a hillside that was a half mile from his rear yard and was located in the GHAD. He questioned why he was paying to maintain that hillside. He inquired whether or not GHADs must be disclosed to a homeowner, and Mr. Torres-Muga affirmed that extensive disclosure laws were involved where GHADs were concerned.

Mr. Gangapuram also noted that through an EIR process, if unstable soils and slopes were identified and if landslides should occur, mitigation measures would be required, such as with a GHAD.

Mr. Jerome also noted that most hillside developments would have undeveloped areas that would have some sort of GHAD protection.

Commissioner Valentine questioned why a homeowner would have to pay into a GHAD when the homeowner did not own the land.

Commissioner Holmes referenced information provided to the Commission some time ago from the Chair regarding hillside and ridgeline policies for the San Ramon Valley General Plan. He agreed with some of the policies contained in that information, such as that significant hilltop and ridges should be protected to retain their visual quality, maintain the natural appearance of the hillsides and ridges to the greatest extent possible, that the visual quality of the planning area be preserved through the restriction of development from significant scenic ridges, and that the visual quality be maintained for the benefit of the public, were points to consider in the City of Pittsburg's General Plan.

Mr. Gangapuram recognized the policies contained in the San Ramon Valley General Plan and advised that the City's General Plan did include some of those policies, although the protection of view corridors needed to be better defined in that a blanket statement in the previous General Plan had not defined the view corridors.

In response to Commissioner Holmes' desire to ensure the visual protection of the hillsides, Mr. Gangapuram recommended that the policies of the San Ramon Valley General Plan be incorporated into the City's General Plan, with evaluation of projects on a case by case basis. Mr. Jerome referenced Chapter Two, Land Use in the General Plan and the section regarding hillside development, and noted that the fundamental intent behind some of those policies were to revise the City's Hillside Preservation Ordinance to reflect General Plan policy direction. The intent of that section was that the City should use a revised Hillside Planned Development Ordinance using some of the hillside/ridgeline policies as a fundamental framework for analysis of hillside development.
Mr. Jerome emphasized that the General Plan was only a guideline to offer broad policy with specifics evaluated through other implementing devices, such as a Hillside Planned Development Ordinance. While the City had a Hillside Planned Development Ordinance in effect at this time, it had been rarely used since it was a cumbersome ordinance that had not worked well. He recommended that the ordinance be redrafted to be more specific and to address many of the details now being discussed.

Chairman Kee referenced Policy 4-P-10, which appeared to be a contradiction and which stated in part "minimize grading on the hillsides, amend the City's Zoning Ordinance to allow density bonus of 10 percent for new hillside development that preserves 40 percent of the natural hill contours." He expressed concern if grading was to minimized, while a density bonus might be permitted to preserve 40 percent, meaning that 60 percent of a hillside could be graded.

Mr. Jerome clarified that the intent of that policy was to protect more open space through a density bonus. A density bonus could involve a cluster or townhome development, where more open space might be provided. The intent of that policy was to provide an enticement for preservation development.

Chairman Kee commented that even lower hills were unique to the area. He suggested that the City should do everything possible when there was development that could be constructed in those hilly areas that every effort be made to require the development to conform to the hills as opposed to requiring the hills to conform to development.

Commissioner Valentine suggested that policy could be revised to reflect a 10 percent bonus, which would allow a minimum of 40 percent but up to 60 percent of the preservation of the hillside.

Mr. Jerome explained that the General Plan consultants had identified 40 percent of the natural hill.

Commissioner Valentine disagreed and restated his recommended revision. Speaking to Policy 4-P-11, he recommended that policy be revised to add the following language: "to avoid grading or slopes greater than 30 percent."

Mr. Gangapuram explained that the policy, as written in part, had indicated that "grading of slopes that are greater than 30 percent shall be limited to lower elevations, foothills, non-delineated ridges and knolls."

Mr. Jerome also commented that one of the problems with the reference to 30 percent was that there were many small knolls in the City that technically met the test of 30 percent and if graded down would not be noticeable. As such, the use of hard numbers was problematic at times.

Chairman Kee inquired whether or not the document included any information to encourage the preservation of wetlands. He cited as an example whether wetlands were taken from one area as a result of development for placement elsewhere.
Mr. Gangapuram noted that such preservation was handled through State and federal regulations. The proposed policies addressed such situations and specifically required that the natural terrain match the topography.

Mr. Jerome also commented that the policies primarily encouraged the retention of natural features and open space and required grading of the contour grade to conform to the natural ridgeline and hillsides as much as possible.

In response to Commissioner Valentine, Mr. Jerome referenced Policy 4-P-19, which had been rewritten to read in part "encourage criteria such as building design and orientation, wider setbacks and intense landscaping and berms in lieu of sound walls to mitigate traffic load along transportation corridors, except adjacent to State Route 4. Perimeter walls when proposed should be primarily used for aesthetic and maintenance reasons rather than noise attenuation."

Commissioner Tumbaga referenced Policy 2-P-89 and questioned why the City was recommending clustered low hillside development as opposed to large parcels, and Mr. Gangapuram explained that certain sections of the natural terrain could potentially be preserved through the development of such projects as cluster housing.

Commissioner Valentine commented that the document had included no protection for the wildlife along the Bailey Road corridor, which was a known coyote habitat area.

Mr. Gangapuram explained that such issues had been addressed in the document and would also be addressed through the EIR process.

Mr. Stremel advised that as part of an EIR for a project in the Bailey Road area, he had worked with the State Department of Fish and Game, and the U.S. Department of Fish and Wildlife to establish a corridor on the northern portion of that subdivision as a habitat for animals to be able to travel to that general area, which was the reason why no homes could be developed in the northern area of the property.

Commissioner Valentine also commented that the entire area was full of birds of prey. He questioned whether or not they would be protected. He further questioned whether or not any species had been found in those areas already under development.

Mr. Stremel noted that the corridor being established, as described, would also address birds of prey and would be developed with the applicable jurisdictional agencies, as noted. He affirmed that tiger salamanders had been found in the location where building had occurred. A mitigation program had been developed with the Department of Fish and Game over the past year and through a continuation of the processing of the project, a process had been devised to trap and relocate tiger salamanders. He described it as an excavation habitat or summering habitat, where three quarters of a mile of silt fence and traps had been established and where the Department of Fish and Game and
biotic specialists had conducted the relocation process. He otherwise noted that there was no raptor
habitat in that particular area.

Mr. Jerome referenced Policy 2-P-89, which stated in part "allowed well designed hillside low
density residential development west of Bailey Road as shown on the General Plan Diagram and
ensure that such development is minimally visible from Bailey Road and mitigated any creekways
or wetlands in the area." He explained that there was a hillside low density designation that had
been changed to include attached or detached homes. Low density housing was primarily single
family and on the
hillsides as indicated with a 10 percent bonus, there could potentially be opportunities for group
types of for sale housing.

JAY EGY, Project Manager, The DeSilva Group, referenced the intersection of Gladstone Drive and
Leland Road with respect to a 3.6 acre and 3.8 acre site that had come to his company as a packaged
purchased contract. He noted that the Loveridge Road portion of the parcel was currently designated
with a Quasi-Public Institutional designation in the General Plan Update. Loveridge Road bordered
the other parcel on one side, the driveway through Los Medanos Hospital at the front, the existing
convalescent care facility on the east, and Stoneman Elementary School to the south.

Mr. Egy explained that during the past two and a half years, the property had been marketed for sale,
although to date there had been little interest in the property due to its General Plan designation. He
requested that the Commission consider reclassifying that parcel to Medium Density Residential.
He cited adjacent parcels that had also been designated in the General Plan Update as Medium
Density Residential.

Mr. Egy noted that a Medium Density Residential designation would allow for a free parcel project
that could proceed for potential development, allowing 8 units to the acre for small lot, single family
homes. The Loveridge Road parcel by itself was less than two acres and was too small to be a
standalone project since it could only generate from 15 to 18 dwelling units.

Mr. Egy explained that a survey had been prepared of the area with Loveridge Road as the center
line and half a mile on each side, reviewing all of the properties from East Leland Road to Buchanan
Road. He identified all of the properties and uses in that radius, which he suggested were all
compatible with residential uses. For those reasons, he suggested that a Medium Density
designation was appropriate. He added that a street survey had also been prepared for Loveridge
Road, to Buchanan Road and to Leland Road, where existing buildings had been observed to
determine whether or not a proposed residential project on the subject site would be appropriate.

Mr. Egy urged consideration of the residential designation as appropriate for the subject property.
He commented on the difficulties in purchasing part of the subject parcel, without assurance that it
would be classified as Medium Density Residential.

Mr. Jerome acknowledged that staff had reviewed a proposal from The DeSilva Group for the
parcels along the area referenced for a high density single family detached project. Staff was of the
opinion that such development would work well along the Leland Road frontage, although staff
remained concerned with the other parcel being classified for Medium Density Residential from Quasi-Public Institutional since that could represent spot zoning.

Mr. Jerome referenced Page 2-52, the East Leland Road Subarea, and the existing Quasi-Public Institutional land use designations, including Central Junior High School and Stoneman Elementary School. One of the parcels referenced by Mr. Egy was a surplus parcel from the Los Medanos Hospital. Staff was concerned with the fact that the Regency Convalescent Hospital was situated directly to the east of the parcel in question, which was not a residential use. A single family development on the parcel being discussed would be located between the road and the convalescent hospital.

Mr. Jerome explained that staff was concerned with another land use amongst other institutional land uses. The zoning would allow for office type of developments and similar uses that would be supportive of the hospital use. Staff was of the opinion that a General Plan Amendment would be required, pending the success of the other project proposed by The DeSilva Group, to determine whether or not an appropriate land use could be found in compliance with the General Plan.

Mr. Jerome clarified that staff was recommending that a land use change not be approved at this time. He acknowledged that Mr. Egy disagreed with the staff assessment.

Mr. Egy suggested that a change in classification would allow an opportunity for development of the property, which had not been realized in the past. He reiterated his reasons for requesting the change in classification at this time. He expressed concern with allowing one parcel to be developed without the concurrent development of the other parcel. He spoke to the some of the details of the project that he would like to propose for the area.

Mr. Jerome affirmed that staff had been provided with a schematic design of the project being proposed by The DeSilva Group, although he reiterated the staff concerns.

An unidentified representative of Colliers International advised that he had been representing the seller of the property referenced by Mr. Egy for the past two years. He reiterated the lack of interest with the subject site for any development. He suggested that it made sense to develop the property for residential purposes and to package the two referenced parcels. He also understood that some of the proceeds from development would go to the hospital.

In response to Commissioner Glynn, Mr. Egy explained that the residential homes proposed for the subject property, if developed, would be for sale units. He described the units as by their nature and through design, to include some of the more affordable units in the City. It was not intended that the units be Section 8 homes. He also noted that it was intended that the residential development would involve a homeowner's association (HOA). The units being considered would comprise market rate units and sell for +/- $300,000.

Commissioner Glynn suggested that the units could be suitable for some of the medical personnel employed with the medical uses located nearby.
Commissioner Leonard commented that they now had a viable suitor interested in developing the parcels that would meet the infill requirements. He saw no problem with the request by The DeSilva Group.

Chairman Kee stated that on the other side of the argument, the City had the same situation with respect to the Shurgard Self-Storage facility that had been proposed for the Albertsons Shopping Center on Railroad Avenue. In that instance, the applicant had requested an amendment to the General Plan in order to develop a viable project, although the Commission had ultimately denied that application. He suggested that the Planning Commission should not base zoning decisions on what could be viable for a developer, but instead consider what was best for the area.

Mr. Jerome advised that staff would proceed with the classifications as depicted on the General Plan Maps displayed to the Commission unless the consensus of the Commission determined otherwise.

Commissioner Leonard reiterated that in his opinion The DeSilva Group's proposal was a viable option for the subject property. As such, he made a motion that the land use be changed as requested by The DeSilva Group for the subject parcel as described by Mr. Egy, from Quasi-Public Institutional to Medium Density Residential.

Commissioner Valentine seconded the motion.

On the motion, Commissioner Tumbaga noted that the Commission had yet to make a motion to approve/disapprove any of the other recommended changes to the General Plan or General Plan policies. She questioned the appropriateness of taking a vote on a single item at this time. While she did not suggest that the land use not be changed as requested, she clarified that as a point of order since the Commission was not taking motions to vote on the individual changes. She suggested that the request by The DeSilva Group could be accommodated while encompassing other proposed revisions to the policies.

Commissioner Leonard disagreed in that staff was not in agreement with the request from The DeSilva Group, which was the reason for his motion as stated.

Mr. Jerome suggested that the Commission reach a consensus. Commissioner Tumbaga further pointed out that the discussion was a workshop/special meeting, which she understood had been intended to allow a forum for public discussion. She understood that no actions would be taken. She requested clarification as to whether or not the Commission's discussion had been intended to take motions on such issues.

Mr. Jerome explained that the Commission was supposed to formulate the General Plan with a consensus to be reached by the entire Commission on the policies. He reiterated the staff opinion on the subject parcel and the stated concern with respect to spot zoning.

While he recognized that the proposal from The DeSilva Group would be a good development, Mr. Jerome cautioned that the proposal might not come to fruition. If the change in land use was
approved, as requested, he suggested that it was possible in a worst case scenario that the City could end up with an apartment complex. Regardless, unless staff had direction from the Commission, the land use would remain as proposed by staff.

Commissioner Leonard reiterated his support for the requested land use change as requested by The DeSilva Group.

MOTION:

Motion by Commissioner Leonard to change the land use as requested by The DeSilva Group for a parcel as described by Mr. Egy, to be changed from Quasi-Public Institutional to Medium Density Residential. The motion was seconded by Commissioner Valentine and carried by a majority of the Commission present through a voice vote only and with no roll call to identify the nay votes offered.

In response to Commissioner Valentine, Mr. Jerome explained that another strikeout version of the General Plan document was in the process of being prepared to incorporate all of the comments received to date.

Chairman Kee preferred one entire bound document that could be reviewed as the most current version.

Mr. Gangapuram referenced the staff report and the staff recommendation to close the public hearing on the Environmental Impact Report (EIR) at this time to allow the General Plan consultants to make any changes that should be incorporated into the final document.

Commissioner Tumbaga noted that during the previous meeting, Ron Rives who was representing Seeno Development Company, had voiced concerns about closing the public hearing on the EIR at that time since the company had yet to provide its written comments.

Mr. Jerome affirmed that Mr. Rives had submitted no written comments on behalf of Seeno Development Company regarding the EIR.

Mr. Torres-Muga explained that written comments have not yet been presented from Seeno Development Company pending the outcome of the current discussion.

Mr. Jerome noted that staff would recommend that the public comment period be closed during the regular Planning Commission meeting of May 22, 2001.

Mr. Torres-Muga inquired when a revised version of the EIR would be made available to the public. He expressed concern that there had been a significant number of changes proposed to the General Plan that were not compatible with the EIR. He requested that a revised version of the EIR be provided for public review.

Mr. Jerome clarified that the Draft EIR had been provided whereby comments could be made. There
would be a Response to Comments section in the Final EIR. Another draft copy of the EIR was not required to be circulated unless significant changes had been made.

Mr. Torres-Muga reiterated that significant changes had been made to the General Plan that would conflict with the language in the Draft EIR. He advised that Seeno Construction Company was not in agreement that the public hearing be closed at the next meeting since there was insufficient time to respond to the changes being proposed to the General Plan.

Commissioner Glynn noted that if the EIR did not have significant changes, or if Seeno Construction Company suggested there were significant changes, the company should be provided with the most current strikeout version of the Draft General Plan. He emphasized that the Draft General Plan and the EIR had been made available to the public since January. The other alternative methodology would be to close the public hearing on the EIR on May 22, as recommended. If the public expressed a desire to make further comment, those comments could be addressed with the City Council, which would go through the same public comment process while reviewing the Commission's recommendations on the General Plan Update and EIR.

Mr. Gangapuram clarified that there were few policies that had been deleted or added from the General Plan. In addition, there were few land use designations that had been changed on the General Plan Map, which would typically trigger significant changes. The only changes at this time involved wordsmithing and the deletion of some policies, which in staff's opinion would not impact the EIR.

Mr. Jerome explained that the public hearing on the General Plan discussion would be continued to May 22, 2001. At that time, staff would again recommend that the public hearing on the EIR be closed.

Mr. Torres-Muga reiterated that Seeno Construction Company was waiting on the information from the current discussion to schedule a meeting with staff to discuss their concerns. He again opposed the closure of the public hearing on the EIR on May 22.

Commissioner Tumbaga reiterated her preference that all development stop on the hillsides, although she recognized that would not happen. As such, she recognized that there were no major policy changes being recommended by the Commission at this time.

BRUCE OHLSON, a resident of Pittsburg, reported that two weeks ago on behalf of the bicycling community, he had submitted suggested changes to the Draft General Plan. All of the suggestions had been innocuous and would not substantially change the intent of the document. Given the Commission's deadline and the work load under which staff was laboring, he expressed concern that his recommended corrections would not be addressed.

Mr. Ohlson commented that 80 percent of the suggestions he had made were actually corrections to Map 7-4, Present and Planned Bicycle Facilities. Referencing the map presented to the Commission, he noted that it contained a number of mistakes and he suggested it was an
embarrassment to publish a map in the General Plan with errors of such magnitude.

Mr. Ohlson stated that he had made 64 suggested revisions. Of those suggestions, 20 percent served only to recognize routes that cyclists actually used in the City and there was no reason to eliminate those routes from the Bicycle Facilities Map. He requested a status report on his proposal from staff.

Mr. Gangapuram explained that he had taken the comments received by Mr. Ohlson and had met with the Transportation Engineer. All comments had been forwarded to the planning consultant who had been directed to correct the map. The consultant was in the process of making those corrections at this time. He was uncertain whether or not an updated version of the map would be available by May 22.

Mr. Jerome also acknowledged that staff had met with Commissioner Glynn to address his concerns and that there were many revisions that would be addressed and made by the consultant.

Chairman Kee welcomed Mr. Ohlson to also meet with staff directly to address his concerns and further referred him to the meeting of May 22.

The consensus of the Commission was that an entire new strikeout version of the General Plan be provided at the next meeting.

Commissioner Glynn understood that the next meeting contained a number of items to be addressed during regular business. He disagreed with scheduling a General Plan discussion with a regular meeting, particularly when a number of items had been scheduled. He suggested the consideration of a separate meeting to address the General Plan only.

The Commission discussed the proposed deadline to finalize the General Plan by June 26, to close the public hearing on the EIR on May 22, and to possibly schedule a special meeting to discuss the General Plan Update. No special meeting date was scheduled at this time.

By consensus of the Commission present, the public hearing on the Draft General Plan land uses and policies was continued to a regular meeting of the Planning Commission on May 22, 2001.

OTHER COMMENTS:

Commissioner Valentine advised that a meeting to discuss proposed sewer rate increases had been scheduled for Wednesday, June 13, 2001, at 5:30 P.M. at 2400/2500 Pittsburg/Antioch Highway.

ADJOURNMENT:

There being no further business, the meeting adjourned at 10:10 P.M. to a Regular Meeting of the Planning Commission on May 22, 2001 at 7:30 P.M. in the City Council Chambers at 65 Civic