A special meeting/workshop of the Pittsburg Planning Commission was called to order by Vice Chairperson Tumbaga at 7:30 P.M. on Tuesday, May 29, 2001, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Glynn, Holmes, Kelley, Leonard, Valentine Vice Chairperson Tumbaga

Absent: Chairman Kee

Staff: Planning Manager Randy Jerome; Associate Planner Avan Gangapuram; Planning Secretary Fara Bowman

POSTING OF AGENDA:

Vice Chairperson Tumbaga advised that the agenda had been posted at City Hall on Friday, May 25, 2001.

PLEDGE OF ALLEGIANCE:

There was no Pledge of Allegiance.

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 will focus on reviewing the "strikeout" version of policy revisions made to the Draft at this point. (Continued from May 22, 2001).
Planning Manager Randy Jerome reported that the Planning Commission had last met on May 15, 2001, for a public workshop on the Draft General Plan. At this time the intent of the discussion was for a workshop setting. While still a public hearing, he advised that the discussion would be informal.

Mr. Jerome took the opportunity to introduce Linda Davi, the City Attorney, who was present for the discussion. He acknowledged that staff had received written comments from the City's contract City Attorney, who had made due diligence of the General Plan and the Draft Environmental Impact Report (EIR). Staff was in the process of reviewing those comments and would be meeting with the General Plan consultants to respond to the necessary changes, primarily procedural in nature or to provide consistency.

Mr. Jerome also noted that staff had recently received correspondence from Braddock & Logan Services, which included comments relative to the Alves Ranch property. Staff had also received written correspondence from Sarah McKeever, a resident of Bay Point. Copies of all correspondence had been provided to the Commission.

Mr. Jerome noted that during the meeting of May 22, 2001, the Planning Commission had closed the public comment period on the Draft EIR. He affirmed for the record that A.D. Seeno Construction Company had provided written comments to staff on the Draft EIR by the Friday, May 25, 2001 deadline, as directed by the Planning Commission. Those comments had also been forwarded to the General Plan consultants for review as part of the Final EIR.

The Commission had also been provided with a new strikeout version of comments and changes that staff had suggested based on the staff analysis and the testimony received to date. The strikeout version provided to the Commission at this time included comments on Chapter Two, the Land Use Element, Chapter Four, the Urban Design Element and Chapters Nine and Ten.

The intent of the meeting at this time was to review those changes or any part of the General Plan and to permit Commission comment, as well as to permit testimony from the public.

Associate Planner Avan Gangapuram reiterated the intent to review each chapter to allow the Commission or members of the public to review any comments or changes desired to the strikeout version, in addition to those changes that had already been made. Most of the changes had been based on the comments received from the public and stakeholders. Any changes could be reflected in a new strikeout version to be provided at the next Commission meeting.

Mr. Gangapuram advised that based on what could be accomplished during the current meeting, it would be appropriate to continue the public hearing to a Special Meeting on Tuesday, June 5, 2001 in order to complete Commission comments on the General Plan. Once completed, staff would be allowed a two week period to create an addendum to the Draft General Plan, which would then be presented to the Planning Commission for recommendation to the City Council. At the same time, staff would provide the EIR where all comments would be addressed and incorporated.

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Mr. Gangapuram reiterated that staff had made minor modifications to the four chapters included in the Commission packets. The modifications involved word changes and were not extensive.

Referencing the Introductory Chapter, Commissioner Glynn spoke to the last paragraph of Page 2, which stated in part "should there be any conflict between the General Plan text goals or policies with any chart, table or figure, the text, goal or policy would take precedence." He emphasized that he had previously reported that the planning document included errors that needed to be corrected. He questioned whether or not that had been done.

Mr. Jerome clarified that the intent of the statement referenced was that if there was a conflict in the text, or a glitch in the plan, the text would take precedent.

Speaking to the planning boundaries, Mr. Jerome advised that a change had been made to that section. Staff had reviewed the possibility of expanding the City's Sphere of Influence (SOI) and opportunities east and west, where the City might expand into developable areas that were either historically a part of the City, or where the City might best provide services for development.

Mr. Jerome stated that staff was also concerned with development that might occur on the City's borders. If logical that the City could regulate or control such development, the City would prefer to do that, as opposed to the County, which would require a change to the SOI with the Local Agency Formation Commission (LAFCO). Language had been added to that section to offer that flexibility.

Commissioner Holmes inquired how much influence the City might have with the downgrading of the Concord Naval Weapons Station, to which Mr. Jerome explained that was one of the reasons staff had desired a modification to the language in that section related to the planning boundaries, since the base might close and could be deactivated.

Mr. Jerome added that much of that area was clearly within the SOI of the City of Concord, although other areas, particularly to the west, might well represent an economic opportunity for the City of Pittsburg. Therefore, the City desired flexibility with the planning boundaries by possibly expanding the City's SOI to potentially secure those areas.

Speaking to the first paragraph under the section, Background and Context regarding Land Use Pattern 2000, as identified on the first page of Chapter Two, Land Use, Commissioner Glynn noted that the Commission had discussed the importance of ensuring that the latest data be included. He affirmed with Mr. Jerome that 1999 was the latest date for the information regarding the City's existing land use distribution.

Commissioner Glynn commented that many of the dates included in the General Plan reflected information that might be available at this time that had not been available when the first draft of the General Plan had been prepared. He cited, as an example, the 2000 Census information.

Mr. Gangapuram explained that most of the information in the Housing Element of the General Plan
had been dated back to 1995 and 1998. Staff was working to comply with the requirements and intended to prepare a comprehensive update of the Housing Element at a later date, at which time the updated 2000 Census information would be used along with updated statistics from the Association of Bay Area Governments (ABAG).

Referencing the paragraph under the section, Industrial Development for Chapter Two, Land Use, Commissioner Glynn suggested that the reference to the Mirant power plant, should be corrected to read Mirant, formerly Southern Energy.

Mr. Jerome explained that the property was commonly known as the PG&E plant. He suggested that the majority of residents were unaware that it was no longer a PG&E plant.

Regarding Transit-Oriented Development (TOD), also identified in Chapter Two, Land Use, Commissioner Valentine stated that section had included no alternative methods of transit other than the existing BART system. He recommended language to recognize that other mass public transit opportunities would be encouraged along the highway corridor.

Mr. Jerome clarified that such a policy had been added in Chapter Seven, where proposals such as eBART, a diesel powered train down the center line, would be considered. He added that the section contained in the Land Use Chapter was more descriptive.

PUBLIC HEARING CONTINUED:

RON RIVES, representing A. D. Seeno Construction Company, suggested that Chapter Two, Land Use, also include language that the General Plan also seeks to designate areas appropriate for development to allow flexibility for the City to designate the SOI and annexations outside of the existing Urban Limit Line (ULL), particularly with respect to the Montreaux project.

Mr. Gangapuram referenced the General Plan Diagram. He advised that based on comments received, staff planned to revise the land use designations for certain parcels, not reflected in the General Plan. Those parcels had been previously identified during a previous workshop meeting and were again identified on the General Plan Map.

Mr. Jerome also identified property west of Railroad Avenue, near Buchanan Road, between the PG&E Corridor where staff had identified a small area which had the potential for estate type of residential development and which could be accessed off of existing City streets. In addition, the Alves Ranch Park property designated for a public park had been revised to reflect that there would not be a mandate that a park be located in that area, although it would be required to be privately maintained by any development.

Mr. Jerome commented that the City had become extremely concerned regarding the maintenance of parks since they were quite expensive resources for the City to properly maintain. Staff was reviewing the number and location of parks for maximum usage and proper maintenance.

Mr. Jerome added that staff was looking at the property located in the southwest area of the City for
one large community park in the San Marco development to serve as the primary park for that area. The schools proposed in that area could offer recreational opportunities as well.

Mr. Jerome also clarified that if a developer decided not to build a park the property could otherwise be developed.

Commissioner Glynn referenced the eastern half of the former Chevron property and possible annexation of that location into the City. He requested clarification as to whether or not that had still been envisioned since the area was considered to be historically part of the City. He also requested clarification of whether or not the City was also still considering possible annexation of property to the west of the PG&E plant in the community of Bay Point, which had not been mentioned in the General Plan.

Mr. Jerome explained that the PG&E property had not been mentioned since a new policy had been added to the subareas, which policy had addressed that property.

In response to Commissioner Leonard, Mr. Gangapuram also clarified that the property proposed to be reclassified to High Density Residential involved only the 1.93 acre lot, which fronted Leland Road.

Commissioner Valentine inquired whether or not the City had a policy in place in relation to a proposed change in classification for the property referenced by Mr. Jerome, a small parcel located off of Railroad Avenue envisioned for custom homes, to ensure that each home that could be built would be different from each other.

Mr. Gangapuram explained that staff was unaware of the number of homes that could be built on the referenced parcel. Given the topography of that parcel, it was unlikely that a number of homes could be built. He otherwise explained that a policy could be added to address Commissioner Valentine's concerns, which could be included in the Urban Design Element.

Referencing parks, Commissioner Valentine requested the consideration of the development of urban parks, which typically included no grass and consisted of primarily cement, ballfields, full basketball, tennis and handball courts, thereby reducing the amount of required maintenance.

Mr. Gangapuram suggested that a new policy could be added to the Youth and Recreation Element to address such considerations and which could encourage the development of recreational facilities that would facilitate such recreational amenities. He expressed the willingness to draft language for consideration at the next meeting on June 5.

As to the polices for Hillside Dow Density and the proposed Alternate, as stated in the section, Land Use Classification System, Mr. Jerome clarified that the first policy represented the existing City code. The alternate policy had suggested alternative language. The Commission would need to identify its preference.
Mr. Jerome further clarified that both the existing and the alternate policy had been retained in the document since the alternate policy represented a radical change and since staff wanted the Commission to be aware of the proposed alternate language. He otherwise expressed concern with language identifying percentages in General Plans since that would be more specific than what should be included in a general document. As a result, staff had proposed the alternate language to that policy.

Mr. Jerome pointed out that if the Commission were to include specific numbers in the document, it would be extremely difficult to analyze projects. If such numbers/percentages were included in the General Plan, the City would be obligated by law to comply with what had been stipulated.

Mr. Jerome commented that there were areas in the General Plan where 30 percent slopes had been mapped. Policies in the resource sections of Chapters Nine and Ten had referred to those percentages. The intent of the identified ridgelines on the Ridgeline Map should identify the slopes where development would be restricted.

Commissioner Valentine favored the elimination of the alternate language while revising the existing policy to incorporate some of the items being discussed.

Mr. Rives commented with respect to the Hillside Low Density Policy versus the alternate policy language, that both policies were fairly restrictive concerning hillside development. He suggested that the alternate policy would allow greater flexibility for the Commission, the City and developers in the future to present one cohesive project. In terms of the Commission's planning flexibility, the alternate policy would allow greater planning flexibility and allow the developer to come in with a comprehensive project without being locked in to a certain percentage of slope.

Mr. Rives requested clarification with respect to the alternate policy for Hillside Low Density, which would allow for single family residential development less than 5.0 units per gross acre in the upper elevations of the southern hills. He requested that the Commission adopt the alternate policy, with language to stipulate "single family attached/detached residential development up to 5.0 units per gross acres."

Mr. Rives went on to comment that the statement also identified in the alternate policy "that maximum densities should be allowed only in flatter natural slope areas or non-environmentally sensitive level graded areas, would prohibit any modification to achieve flatter areas for development." He requested that the word "natural" be eliminated from that sentence.

Commissioner Valentine requested clarification from staff on the reference to upper elevations.

Mr. Rives suggested that Commissioner Valentine's concerns would be addressed in the language regarding the average density of 3 units per gross acre, which he suggested was appropriate for hillside development. On behalf of the developer, he did not oppose that language which he described as reasonable.
Commissioner Leonard referenced the parcel of land referenced by staff on Railroad Avenue where custom home development had been envisioned. He suggested that concerns with the design of such homes should be addressed through the design review of a specific project. He disagreed that verbiage be incorporated into the General Plan for a specific site.

Commissioner Glynn suggested that the last sentence of the alternate policy should be amended to read "the average hillside low density assumed for General Plan build-out calculations is 3 units per gross acre."

Commissioner Glynn made a motion that the Planning Commission adopt the alternate policy for Hillside Low Density, to be modified, as follows:

**ALTERNATE:**

Hillside Low Density: Single family (attached or detached) residential development less than 5.0 units per gross acre in the upper elevations of the southern hills. Maximum densities should be allowed only in flatter slope areas as opposed to natural slope areas or non-environmentally sensitive level graded areas. An open, natural character should be encouraged by grouping homes within the hills that minimizes cut-and-fill of natural hillsides. The average hillside low density assumed for General Plan build-out calculations is 3 units per gross area.

Commissioner Valentine requested further amendment to the second sentence of the same policy, as follows:

Maximum densities should be allowed only in flatter slope areas as opposed to natural slope or non-environmentally sensitive areas prior to grading of level graded areas.

On the discussion, Mr. Jerome explained that the reason staff had included language relating to natural slope areas had been that there would be certain areas that were level and more suitable due to their nature that would be more suitable for development. Non-environmentally sensitive level graded areas, were as an example, areas for slope protection purposes or areas that were regraded or taken down since they had no environmentally sensitive component, leaving the flexibility open.

Vice Chairperson Tumbaga understood that Mr. Rives had requested further amendment to the first sentence of the same policy as follows:

Hillside Low Density: Single family (attached or detached) residential development up to 5.0 units per gross acre in the upper elevations of the southern hills.

Vice Chairperson Tumbaga also understood that Mr. Rives had requested that the word "natural" be eliminated from that policy statement. She questioned whether or not the Commission supported the recommended revisions proposed by Mr. Rives.

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Mr. Jerome stated that the first sentence spoke to a flatter, natural slope area, while the remaining sentence related to areas reconfigured through grading, where grading was determined to be appropriate. The term less than 5.0 units per gross acre, rather than up to 5.0 units per gross acres, was reflective of the description of the Land Use Map, where Hillside Residential was less than 5.0 units per gross acre, for consistency in the document.

Commissioner Valentine expressed concern that developers might find a way to circumvent the maximum density intent on the City's slopes. He suggested a further modification to the first sentence as follows:

**Hillside Low Density: Single family (attached or detached) residential development up to 3.0 units per gross acre in the upper elevations of the southern hills.**

Mr. Jerome reiterated that the first sentence of the policy described was on the General Plan for a policy of less than 5.0 units per gross acre.

Commissioner Glynn recognized the concerns being expressed, although he reiterated his recommended motion, which included a residential development less than 5.0 units per gross acre.

There was no second to Commissioner Valentine's recommended revisions to the original motion.

Commissioner Kelley seconded the original motion, as stated by Commissioner Glynn.

**MOTION:**

Motion by Commissioner Glynn that the Planning Commission adopt the alternate policy for Hillside Low Density, to be modified, as follows:

**ALTERNATE:**

**Hillside Low Density: Single family (attached or detached) residential development less than 5.0 units per gross acre in the upper elevations of the southern hills. Maximum densities should be allowed only in flatter slope areas as opposed to natural slope areas or non-environmentally sensitive level graded areas. An open, natural character should be encouraged by grouping homes within the hills that minimizes cut-and-fill of natural hillsides. The average hillside low density assumed for General Plan build-out calculations is 3 units per gross area.**

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

- **Ayes:** Commissioners Glynn, Holmes, Kelley, Leonard, Tumbaga, Valentine
- **Noes:** None
- **Abstain:** None
- **Absent:** Chairman Kee
Commissioner Valentine expressed concern that the policy, as written for Agriculture and Resource Management in the section for Open Space, could expose open space to mass development. He requested that the last sentence that had been added to that paragraph be eliminated, with the designations for agriculture and resource management to remain as is, allowing one unit per acre.

Mr. Jerome clarified that the last sentence had been included in response to the parcel of land identified by staff off of Railroad Avenue as an area where development might occur and where there could be reasonable consideration for a small hillside estate type of development. The City's goal was to create upper/estate type of development since the City consisted for the most part of subdivisions, with no area of development similar to Alamo and Danville. The intent of that last sentence was not to close the door on those possible opportunities.

Commissioner Valentine expressed concern that the last sentence represented a radical change from what had previously been presented to the Commission at the inception of the General Plan Update process. He reiterated his concern and desire that open space areas remain "as is." He also suggested waiting until the Pittsburg Unified School District was "up to par" prior to making such a change.

Mr. Jerome clarified that the change to that section was consistent with the text changes reflected in Policy 2-P-106, regarding low density hillside residential and agricultural uses in locations that were environmentally acceptable. Speaking to the General Plan Land Use Framework and Guiding Principles, he spoke to the goal of increasing diversity and housing types, which would allow for a range of social, economic and housing opportunities.

The planned policies would also provide for increased flexibility in single family development by encouraging small lots in downtown and arterial corridors or larger executive style developments and custom estate housing designs in the Southern Hills.

Mr. Rives commented that in some communities, the agricultural designation was one unit per 5 acres. He suggested the additional sentence provided by staff to the policy under discussion would provide the Commission with some flexibility in terms of planning.

Mr. Jerome noted, when asked, that crop land and agriculture was development as well and that someone might desire such development opportunities in the open space areas.

Commissioner Valentine reiterated his concerns in that he did not want to make it too easy for someone to develop a number of homes in the City's open space areas. He made a motion to remove the last sentence of the policy for Agriculture and Resource Management, as defined for Open Space.

Vice Chairperson Tumbaga acknowledged that the motion died due to the lack of a second.
Commissioner Leonard emphasized that everything should be project specific. Given the hillside regulations and restrictions, he stated that if a project was not determined to be viable and was not supported by the majority of the Planning Commission through the public review process, it would not proceed.

Speaking to Policy 2-G-8, Commissioner Valentine, requested that the policy be amended as follows:

2-G-8 Ensure that hillside development enhances the built environment, improves safety through slope stabilization, maintains topography, slope and other natural constraints where possible and preserves ridgelines and viewsheds.

Commissioner Leonard noted that the same problem would occur as previously discussed in that if the areas were maintained, it could not go away.

Commissioner Valentine explained that was the reason why he had requested the addition of "where possible" to that policy. In his opinion, there should be no hillside development, although he recognized the need to be flexible.

Mr. Rives expressed concern with the proposed revision in that the topography could not be maintained while still achieving slope stabilization. He suggested that the policy was intended to direct the Planning Commission to guide future decisions as opposed to creating restraints. He supported the policy as written by staff.

Commissioner Valentine disagreed with the use of the word "respectful" in that it would not hold any meaning. He reiterated his recommended revision.

On the discussion, Mr. Jerome stated that he opposed the term "where possible" in that it was uncertain what that actually meant. He stated that staff had received a number of written comments from Seecon on the first draft of the General Plan and had used that verbiage a great deal. Staff had removed the verbiage since it was almost too subjective. The verbiage "respectful" was clear but also allowed the ability to be subjective through further analysis.

Commissioner Valentine suggested as an alternative that "tries to maintain" be added to the policy. Vice Chairperson Tumbaga suggested that both said the same thing. With no support for the recommended revisions to Policy 2-G-8, she acknowledged the consensus of the Commission to retain the policy, as written.

Speaking to Policy 2-P-5, Commissioner Valentine requested that the policy be amended to reflect that the amenities identified in the policy would be in place prior to total buildout of a development. Mr. Jerome explained that the goal of that policy was to relate to smaller lots and if a developer was to build smaller lots, the City needed some sort of amenity or quid pro quo for such development. Mr. Jerome added that the City should be able to receive more amenities for developments that
involved a higher end of the density designated by the General Plan.

Commissioner Glynn commented that under the terms and conditions of an approval for a specific project, such a stipulation could be imposed when it was expected that such amenities be provided and completed. The General Plan could not include a specific time period since it must be general in nature.

Commissioner Valentine disagreed and reiterated his recommended revisions to ensure that the amenities were provided. He disagreed that specifics should not be included in the General Plan to ensure compliance.

Commissioner Glynn reiterated that the General Plan was a policy statement and not intended to be a document stipulating how particular projects were to be designed. He disagreed strongly that timelines, content specificity and directions would not be appropriate and would not be feasible since it would not allow for methodologies from one project to another in terms of the evaluation of individual projects prior to any approvals.

Commissioner Leonard suggested that to allow flexibility, Policy 2-P-5 should be amended to read:

2-P-5 Ensure provision of community amenities or community benefits in planned development projects, including parks and recreation facilities, streetscaping and pedestrian parks, transit facilities, parking areas, and public safety facilities.

Commissioner Holmes commented that the maintenance of City parks had been discussed at length in the past. He suggested that the City should not overextend itself where parks were concerned. At such time as the Planning Commission reviewed a development, the issue of parks could be addressed at that time. He disagreed that a stipulation should be made at this time.

Mr. Rives also commented on the cost of maintaining City parks. He clarified that at times when a park was not developed as part of a project the reason involved situations were parks were placed in subdivisions and the City had advised that it could not be used. In the past small parks had been the strategy of the City until they had been found to be difficult to maintain. Subsequently, the City had preferred the larger community sized parks and amenities in one place, which would be easier to maintain while providing more benefits than a smaller park.

Mr. Rives suggested, as an example, that a small planned development should allow the flexibility that the developer provide a park within the planned development or pay certain fees for the provisions of nearby parks, or as deemed appropriate by the City's Leisure Services Commission.

Mr. Jerome stated that staff had no objection with the amendment as proposed by Commissioner Leonard. He otherwise recommended additional revisions in response to Commissioner Valentine's concerns, as follows:

2-P-5 Ensure provision of community amenities or community benefits in planned development projects, including parks and recreation facilities, streetscaping and pedestrian parks, transit facilities, parking areas, and public safety facilities.
development projects, including parks and recreation facilities, streetscaping and pedestrian parks, transit facilities, parking areas, and public safety facilities. **Endeavor to achieve provision of amenities in balance with the needs of the development.**

Commissioner Valentine suggested that the last sentence of the policy statement be further amended as follows:

**Endeavor to achieve provision of amenities in balance with the needs of the community and the developer.**

Mr. Jerome disagreed with the need to add such verbiage in that the revision, as proposed, would cover both the community and a development.

By consensus, the Commission accepted the revisions to Policy 2-P-5, as amended by Commissioner Leonard and as further amended by staff.

Commissioner Leonard requested a new policy statement in the General Plan that would not cause serious financial constraints on developers to require the undergrounding of utilities for infill projects in areas that were surrounded by existing overhead power facilities. He cited as an example the Habitat for Humanity project, which had been recently evaluated by the Planning Commission.

Mr. Jerome requested that staff be allowed to reserve the discussion of such a policy with the City Engineer since from a policy point of view, the goal of the City was to underground overhead utilities.

Speaking to the section for Hillside Development, Commissioner Glynn made a motion that the Planning Commission adopt alternate policy 2-P-22.

**MOTION:**

Motion by Commissioner Glynn to adopt Hillside Development, alternate policy 2-P-22, as written. The motion was seconded by Commissioner Holmes and carried by the following vote:

- **Ayes:** Commissioners Glynn, Holmes, Kelley, Leonard, Valentine, Tumbaga
- **Noes:** None
- **Abstain:** None
- **Absent:** Chairman Kee

Referencing Policy 2-P-29, Commissioner Valentine requested the following amendment:

**2-P-29 Ensure** private developers to continue conducting geotechnical and biological studies prior to filing project applications to ensure environmentally sensitive project layout and design.
Mr. Jerome expressed concern with the use of the verbiage "ensure" in that it could read that it was something that needed to be done. An application could be filed without preparation of the stated studies, which would be required through the environmental process. If the study was not preliminary, it would be at the cost of the developer. He suggested it was better that be done ahead of time, although it was not necessarily required. He suggested that policy statement would be appropriate to remain as written.

Mr. Rives expressed concern with the intent of the policy, as written. He questioned the use of the verbiage "continue conducting geotechnical and biological studies prior to filing project applications" since developers were required to comply with certain protocols with those agencies.

Vice Chairperson Tumbaga commented that the way the policy was written, the City could encourage private developers to comply with that policy although it would not force a developer to comply.

Mr. Jerome commented that he could not imagine a developer filing an application blindly and then later learning that a great deal of money had been spent on application fees and an engineer to prepare a development that while it may meet the City's submittal and application standards, it was later found through the environmental review process that the project might not be feasible due to environmental constraints. He stated that if such studies were completed prior to that time by the developer that would be to the developer's benefit.

Vice Chairperson Tumbaga supported Policy 2-P-29 as written.

Commissioner Glynn stated that while he supported the policy, as written, he also recognized Mr. Rives' concerns with the verbiage used in that policy.

Commissioner Leonard inquired whether or not encouragement of live/work arrangements should be included in one of the downtown policy statements. He also referenced a policy to limit conversion of retail and business storefront space to churches. He requested clarification from staff on such a policy.

Mr. Gangapuram noted that the live/work arrangement had been addressed in the downtown section of the General Plan. He otherwise commented that a policy to address the conversion of retail and business storefront space to churches had been an issue that had been raised during the public workshops. If the downtown became a destination point and if existing storefront were, in fact, converted that would limit the possibility of commercial activity.

Speaking to the reference to Dowest Slough under Policy 2-P-43, Mr. Gangapuram explained that pertained to the Dow Chemical area where restoration activities had taken place.

Dow Chemical had made efforts to restore the wetland area. The statement was also addressed in
Chapter Nine, Resource Conversation, intended as an explanation.

Commissioner Glynn suggested that the statement should be eliminated from the policies for the Northeast River, to be included in Chapter Nine only.

Mr. Jerome also clarified that the statement referred to the Dowest Slough located in the subarea in the Northeast River, which was basically all industrial area. The statement was intended to reflect that there was a very specific designated wetland area in that subarea. He noted that there were other policies that included a description after them, intended to clarify a comment being made.

By consensus of the Commission present, the statement on the Dowest Slough contained in the policies for the Northeast River was to be eliminated and referenced only in Chapter Nine, Resource Conservation, as earlier indicated.

Commissioner Glynn inquired of staff whether or not information had been incorporated into the policies with respect to a decision to provide diagonal parking on Railroad Avenue.

Mr. Gangapuram advised that specific parking accommodations had not been included in any of the Downtown Policies. If the Commission determined that was appropriate, such a policy could be added. There was a general policy on parking and how it should be provided downtown to cater to the needs of the population and the businesses.

Mr. Rives referenced Policy 2-P-55 and suggested that would be a good place to refer to a possible eBART station on the existing Railroad Avenue right-of-way.

Mr. Jerome noted that the eBART concept had been mentioned in the Transportation Element of the General Plan, although that area of Railroad Avenue had not been specifically mentioned in the document.

Commissioner Glynn advised that during the last TRANSPLAN meeting, a proposal had been made by a consultant with a preferred route to come off of the Railroad Avenue line for the eBART concept, to travel up Bailey Road and under the underpass, to then swing up and run on an adjacent platform within the BART complex to offer a seamless transition of eBART to the BART system.

Mr. Jerome reported that officially the City Council had made a policy that they would like to see the BART Station, if one comes in, to be located at Railroad Avenue as opposed to Century Plaza or another location. That had been the reason for Policy 2-P-55, as written.

Referencing Policy 2-P-58, Vice Chairperson Tumbaga questioned extending Garcia Avenue all the way to Railroad Avenue since it was difficult to get in and out of the existing businesses at that location.

Mr. Jerome explained that the extension of Garcia Avenue to Railroad Avenue was intended for...
redevelopment type activities. The City was considering that area in the long term, particularly if a BART Station were to come into that area, which would result in a radical shift of land use to higher density uses than the existing industrial park and service commercial uses. Policy 2-P-58 had been intended as a circulation component.

Vice Chairperson Tumbaga questioned whether or not the removal of the 90 degree turn on Garcia Avenue would affect the existing businesses on Railroad Avenue since it was already difficult to get in and out of those businesses.

Vice Chairperson Tumbaga questioned what could be done to make the street easier for ingress and egress, to which Mr. Jerome noted that if the street was signalized, that would facilitate the traffic circulation.

Vice Chairperson Tumbaga pointed out that there was an existing signal light located less than a tenth of a mile from that area.

Mr. Gangapuram acknowledged that some of the streets might have to be reconfigured if such a scenario were to occur.

Mr. Jerome agreed, in response to Commissioner Leonard, that the alternate policy approved by the Commission for Hillside Low Density should be incorporated into the third bullet under Policy 2-P-72, Policies: Woodlands.

Speaking to the fourth bullet, for Policy 2-P-87, Southwest Hills, Mr. Rives stated that he had been unaware that creeksides had been designated. If development affected a creekside or a streambed, a developer would be required to work with the Department of Fish and Game and the Army Corps of Engineers, as well as the Regional Water Control Board. He stated that oftentimes, those agencies might require a developer to change a creekbed and provide mitigation measures.

Mr. Rives therefore suggested a modification to that policy as follows:

2-P-87 Ensure grading is kept to a minimum and that all designated ridgelines and creeksides are protected or impacts are mitigated.

Mr. Jerome stated that he did not oppose such an amendment, although he was uncertain of the definition of a creekside.

On the discussion, Mr. Rives suggested further a modification as follows:

2-P-87 Ensure grading is kept to a minimum and that all impacts to designated ridgelines and creeks are mitigated.
Vice Chairperson Tumbaga noted that the third bullet under Policy 2-P-88 would also be required to be modified to be consistent with whatever modifications were approved for Policy 2-P-87.

Mr. Jerome supported the proposed modification to the two policies.

By consensus of the Commission present, the modifications made to Policy 2-P-87 and 2-P-88, as proposed by Mr. Rives, were accepted.

Mr. Jerome stated that in speaking with the Thomas sisters, concerns had been expressed with the designation of open space. The Thomas sisters considered open space to be park land that anyone could use. He suggested that a statement be added to the policies for Black Diamond and in the Open Space policies to reflect the desire to retain the rural character of privately owned land, including agricultural grazing land.

The Commission reviewed Chapter Three, Growth and Management, copies of which were not made available to the audience.

Mr. Rives referenced Policy 3-S-3 for Public Facilities, and inquired where the policy had originated and whether or not it was a policy that had been proposed by the Contra Costa Fire Protection District, where a 1.5 mile radius from the fire station with a five minute maximum response time within that radius was required.

Mr. Rives questioned the feasibility of a policy that required a park within a reasonable walking distance of all residences and parts of the City in keeping with the concerns for the provision of larger parks, although Mr. Gangapuram stated that the language was appropriate for the purposes of the General Plan.

Commissioner Glynn suggested that the policy be amended to include "reasonable travel distance" rather than reasonable walking distance.

Mr. Rives spoke to Policy 3-S-7, requiring a minimum of two acres and the two acres would have to be 80 percent flat slopes no more than 3 percent, where most property available for development in the Southwest Hills consisted of rolling hills. He emphasized that developing a two acre flat parcel was difficult and would cause a great deal of grading contrary to other policies in the General Plan regarding grading, slopes and the maintenance of natural topography.

Mr. Rives suggested that the City Attorney review that policy and advise the Planning Commission and the City Council as to whether or not the City could require a developer to provide a flat pad, since to grade was an improvement and a developer received credits for improvements.

Mr. Jerome expressed the willingness to speak with the City Attorney to review that language.

Commissioner Glynn suggested the retention of the verbiage "reasonable walking distance" given the solution that needed to be evaluated.
Vice Chairperson Tumbaga also supported the retention of that verbiage.

Speaking to the policies for schools, Mr. Jerome advised that in speaking with the City Attorney, the policies might have to be removed since local control over schools had been diminishing. The City had little control over where schools were located, how they were built and the like.

Vice Chairperson Tumbaga requested assurance that the parks section of Growth and Management, Chapter Three, include a policy to ensure that if a developer did not want to develop a park, in-lieu fees could apply.

Mr. Jerome described the State Quimby Act, which stated that all subdivisions were obligated to park land or in-lieu fees, to be balanced out. Whether or not a developer provided land for park within a subdivision would be dependent upon the City based on its General Plan. If a park was not needed, the City had the right to receive in-lieu fees. Those fees could be used for the development of existing parks or for the development of future parks elsewhere in the City.

Vice Chairperson Tumbaga stated that she wanted to be assured that it would remain the City's decision and that the policies be worded in such a way so that a developer did not have the right to make that decision.

Mr. Rives affirmed that the City had the right to determine whether or not the City would require a park or in-lieu fees. He otherwise requested the deferral of Chapter Four in consideration of the late hour, since he had a number of questions related to that section.

The Commission proceeded to the review of Chapter Six, Economic Development, copies of which were not provided to the audience.

In response to Commissioner Leonard, Mr. Gangapuram advised that he had been working with the Economic Development Department to review proposed changes. All suggestions had been incorporated into that chapter. Upon review, no changes were made to Chapter Six.

BRUCE OHLSON, a resident of Pittsburg, advised that he did not have a copy of Chapter Seven, Transportation, and since he might have comments, he requested that the review of that chapter be continued to the next meeting or that comments be received at this time and at the next meeting.

Vice Chairperson Tumbaga clarified, when asked, that those chapters not provided to the public had been distributed during the previous meeting. Staff could make additional copies of those chapters available at City Hall.

Vice Chairperson Tumbaga otherwise understood that Mr. Ohlson's previous comments had been incorporated into the document for Chapter Seven, Transportation. She suggested that the Commission review that chapter and revisit it as well during the meeting scheduled for June 5.
Mr. Rives questioned the intent of Policy 7-P-26, which he suggested could result in the imposition of additional fees on development. He questioned whether or not there were other sources of funding available for public transit, such as a sales tax, or gas tax revenues. He also suggested that the policy did not belong in the General Plan since public transit operators and agencies had their own methods of funding and collection of revenue.

Mr. Jerome suggested it was possible that the policy had resulted from a mitigation from an EIR, which could identify how such impacts should be mitigated. He agreed that policy should be reviewed more closely to determine where it had originated.

Mr. Ohlson commented that the information he had received for Chapter Seven, Transportation, had not included a number of suggestions that he had made to the Transportation Chapter. He pointed out that the City did not have any bicycle paths. He suggested that language be added to Section 7.4, Bicycle Facilities, regarding bike paths, to be described as paved facilities physically separated from roadways used by motor vehicles by a barrier designated for bicycle use.

Mr. Ohlson also suggested that further language be added to reflect that all bike paths in the City were actually multi-use paths that permitted not only bicycles, but also pedestrians, skaters, scooters, handicapped persons in wheelchairs, motorized and manual, and mothers pushing baby carriages.

Speaking to bike lanes, Mr. Ohlson recommended further language describing lanes to indicate that every corner of a bicycle lane was dashed and motor vehicles were required to merge into the bike lanes to make a right turn. He requested assurance that language in the General Plan not contradict the Motor Vehicle Code.

Mr. Gangapuram noted that the General Plan had to define what a bike lane was, which was generally specified and identified on the street.

Mr. Ohlson requested further modification to the description of bicycle lanes to reflect that the standard bicycle lane was four feet in width. He also suggested that reference be made to the American Association of Highway Transportation Organization standards for bicycle lane widths.

Commissioner Glynn commented that in reading written comments presented by Mr. Ohlson, he had included specifics regarding his objections to the problems the City had with its roadways regarding bike paths and all rules and regulations. He suggested rather than going through each page, that Mr. Ohlson meet with City staff and work out whatever language needed to be made as appropriate for all of the descriptions regarding Bicycle Facilities, based on his experience and background and based on his previously submitted written information.

Due to the lateness of the hour, Commissioner Glynn suggested that Mr. Ohlson meet with staff prior to the June 5 meeting so that when the Commission revisited Chapter Seven, the changes would be clearly defined.
Mr. Jerome affirmed that there would be a number of changes to be made prior to the next meeting that could be discussed at that time. Staff was more than willing to meet with anyone to address their concerns.

Speaking to Policy 7-P-37, Commissioner Leonard suggested that the word "manager" be replaced with the word "coordinator."

Commissioner Glynn suggested that the duties described in that category would fall under the position of Traffic Engineer, and as such were the duties that may be assigned.

The Commission reviewed Chapter Eight, Open Space Youth and Recreation, copies of which had not been provided to the audience.

Chairperson Tumbaga affirmed with Mr. Gangapuram that the title of Chapter Eight would be corrected.

Commissioner Leonard noted the need to be consistent with changes previously made regarding slopes. Referencing Policy 8-P-6, he emphasized the need to be consistent with the policies previously amended for Hillside Low Density.

Mr. Jerome affirmed that Policy 8-P-6 was an almost duplicate of what had been discussed under the Chapter for Growth Management regarding park standards.

Commissioner Leonard also spoke to Policy 8-P-10 regarding the collection of in-lieu fees to ensure that they were spent in acquiring and developing new park sites. The Commission had discussed the verbiage "enhance existing park sites" so as to remain consistent. He suggested that the language be revised to be consistent with previously amended policies in the General Plan.

Mr. Rives requested clarification with respect to Policy 8-P-6. He commented that the developer he represented had situations where they had detention basins that were landscaped with lawn and were fenced off. When not flooded, the area was utilized. He inquired if the intent of that policy was that the areas not be allowed to be used.

Mr. Rives commented that the areas were typically flooded two to three times a year and were otherwise usable park land. He again questioned whether it was the City's intent to impose a policy that people would be prohibited from using detention basins as parks, or whether developers were not to be given credits for a detention basin as a park.

Mr. Gangapuram explained that the policy had been discussed during the public workshops and earlier meetings held by the Planning Commission. Based on comments received from the public, the language in that policy had been incorporated. He acknowledged that they had also worked with the Park Planner. The policy had been proposed since a detention basin was not a park and no need for it to be designated as a developed park.
Mr. Rives recognized the intent of the policy, although he expressed concern that the policy might be interpreted as meaning that a developer would be required to prohibit or erect barriers to the use of detention basins as park land.

Mr. Jerome reiterated that the policy had been discussed at length during the public workshops. He affirmed Mr. Rives' understanding of the intent of the policy and pointed out that the City had problems with detention basins in that some had successfully been used as parks. He cited a detention basin located on Bailey Road in the community of Bay Point. The property was relatively flat and level with little water.

Mr. Jerome added that a property must have a 4 percent slope or less to be really usable. Other detention basins in hilly areas that accumulated water all at once and tended to fill up quickly although not disburse quickly were not as usable. He stated that the same problem was occurring with the Americana Subdivision, which was to have included a two acre park that was now a two acre detention basin.

Due to the lateness of the hour, the Planning Commission decided to continue the evaluation of the remaining chapters to the meeting scheduled for June 5. The Planning Commission would then review Chapters Four, Five, Nine, Ten, Eleven and Twelve at that time, although public comment would be accepted on any chapter.

Mr. Jerome advised that staff would attempt to make the latest changes to address what had been discussed prior to the June 5 meeting, with copies to be provided to the Commission.


OTHER COMMENTS:

There were no other comments.

ADJOURNMENT:

There being no further business, the meeting adjourned at approximately 11:00 P.M. to a Special Meeting of the Planning Commission on June 5, 2001 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

RANDY JEROME, Secretary

May 29, 2001
Pittsburg Planning Commission