A regular meeting of the Pittsburg Planning Commission was called to order by Chairman Kee at 7:35 P.M. on Tuesday, March 13, 2001, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Glynn, Holmes, Kelley, Leonard, Tumbaga, Valentine, Chairman Kee

Absent: None

Staff: Planning Manager Randy Jerome; Associate Planner Avan Gangapuram; Assistant Planner Ken Strelo; Planning Technician Dana Hoggatt; Civil Engineer II Alfredo Hurtado.

POSTING OF AGENDA:

Chairman Kee advised that the agenda had been posted at City Hall on Friday, March 9, 2001.

PLEDGE OF ALLEGIANCE:

Commissioner Glynn led the Pledge of Allegiance.

MINUTES: February 20, 2001

Motion by Commissioner Tumbaga to approve the minutes of the February 20, 2001 meeting, as submitted. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Commissioners Glynn, Holmes, Kelley, Leonard, Tumbaga, Kee
N oes: None
Abstain: Commissioner Valentine
Absent: None
DELETIONS/WITHDRAWALS:

There were no deletions or withdrawals.

COMMENTS FROM AUDIENCE:

JOHN BRIMMER, U.S. Glass & Aluminum, Inc., 190 East Third Street, Pittsburg, requested direction from the Planning Commission with respect to a proposed manufacturing facility on a parcel of land formerly occupied by Pittsburg Disposal on Industry Road. While he recognized that no approval could be made by the Commission since the item was not on the agenda for consideration, he expressed the desire to present his proposal to the Commission at this time to learn whether or not the Commission would have any objections or concerns with the development of the property.

Mr. Brimmer explained that U. S. Glass & Aluminum, Inc., was currently located on East Third Street and would be expanding into storefront manufacturing. He presented the Commission with detailed information regarding his proposal, including floor and site plans and photographs of the existing site. He suggested that his proposal would improve that portion of the City. He requested clarification from the Commission as to whether or not there was anything that would prevent him from moving forward with his plans.

Mr. Jerome advised the Commission that Mr. Brimmer had met with staff and had filed an application for design review of the site, which was currently zoned for Service Commercial. The proposed use would consist of custom manufacturing of storefront glass. He understood the offices for the business would remain on East Third Street. He also understood that Mr. Brimmer was due to close escrow on the property.

Mr. Jerome explained that the project had been scheduled for Commission consideration on April 10, 2001. The agenda date had been scheduled based on when the applicant had filed an application and due to the fact that upcoming agendas were already full. He noted that under the current General Plan, the Industry Road area had been proposed to be classified as Marine Commercial, with the uses in that classification still in flux. He suggested that the Commission keep that in mind when considering the proposal as part of the formal application.

C. deBONNEVILLE, a resident of Pittsburg, requested clarification with respect to plans to connect West Leland Road with Avila Road. Although she had spoken to members of the Planning Department who had shown her a plot plan that was ten years old, she stated that they had been unable to provide further information.

Mr. Jerome affirmed plans to connect Avila Road to Leland Road as part of the San Marco development currently under construction. The development would construct West Leland Road from the existing termination point on the east at the Oak Hills/Monterra project near the Pittsburg/Bay Point BART Station to San Marco Boulevard at the Bay Point Interchange. The connection was not expected to occur until project build out, a number of years into the future.
Mr. Jerome stated that the San Marco development had been approved in 1993 with a phased plan. He affirmed that the detailed engineering work for Avila Road had yet to be done and he was uncertain whether or not Avila Road would have to be raised when connected to Leland Road.

WARREN SMITH, a resident of Pittsburg, identified himself as the owner of property located on Bailey Road that was situated between two different development projects. He commented on the General Plan proposal to zone his property as Open Space. He stated that it made no sense to restrict a small parcel in between two large parcels and the garbage dump located to the east of Bailey Road. He requested consideration of a minimal residential zoning, which would allow one to seven units per acre development.

Mr. Smith referenced the government's recent motion of taking out of the residential use in Alameda and Contra Costa Counties, what he estimated as 4.1 million acres. He recognized that families deserved a place to live. He also noted that his property was located one mile from the Pittsburg/Bay Point BART Station and would be ideal for residential development, although he opposed high-density development.

Chairman Kee recognized the concerns expressed although he noted that they pertained to the discussion with respect to the General Plan, which had been listed as Item No. 2 on the agenda.

Mr. Smith commented that he had presented his comments at this time since due to health restrictions he was unable to sit through the meeting until the public comment portion of the General Plan discussions. He requested that his comments be taken into consideration during the General Plan discussion.

PRESENTATIONS:

There were no presentations.

PUBLIC HEARING:

**Item 1: Spectrum Center Addition, UP-01-02 and DR-01-04.**

Application by Claudia Avalos of Spectrum Center requesting a use permit for short-term (playground and parking) and long-term (additional classrooms) expansion of an existing private school and approval of architectural drawings to construct a playground area and additional parking area at 135 East Leland Road, CC-O Community Commercial with a Limited Overlay) zone; APN 088-183-018.

Assistant Planner Ken Strelo presented the request from the Spectrum Center and advised that the Spectrum Center was a private school that offered educational and behavioral development for students ranging in age from 5 to 22 years. The school had been operating in the City for approximately one year. In July 1999, a use permit for the private school had been approved to operate within the then abandoned Prima Donna Cake Box site. The use permit allowed the school
future expansion subject to design review approval.

On January 25, 2000, Spectrum Center had prepared architectural plans for an additional building and site development improvements approved by the Planning Commission. That consisted of a second building located behind the main building. The current application involved a Conditional Use Permit and Design Review.

The conditional use permit was for the expansion of a conditionally permitted use and the design review was for the new site development. The project had been split into two phases, both to be covered under the use permit. Only Phase I would be covered by the design review approval. Phase II would be considered with a separate design review application prior to construction.

Phase I would consist of a play area and additional parking spaces as reflected in the plans included in the Commission packets. The total development area of Phase I would be approximately 17,600 square feet. Landscaping, cyclone fencing and a freestanding sign would be located on the eastern side of the driveway on Leland Road.

Mr. Strelo advised that at the time Phase II was ready for construction, it would consist of additional classrooms, other buildings, more parking and a permanent landscaping plan.

Mr. Strelo added that in order to expand the school, Spectrum Center must execute a Parcel Map waiver since the existing site ended at the end of the asphalt. He reported that he had learned this date that the Parcel Map waiver had been approved. The project would be exempt from the requirements of the California Environmental Quality Act (CEQA) under Class 32, Infill Development Projects.

Mr. Strelo recommended approval of Resolution No. 9191 approving UP-01-02, and Resolution No. 9192 approving DR-01-04, with the conditions as shown.

PUBLIC HEARING OPENED

PROПONENT:

CLAUDIA AVALOS, Spectrum Center, 135 East Leland Road, Pittsburg, explained that the school had applied for the use permit and design review to build a playground since the school currently did not have such an amenity and since it provided services for students from the ages of 5 to 22. She advised that the school did not foresee the development of Phase II of the project anytime within the next year, although development plans had been submitted to staff in an effort to be proactive in the event the need presented itself.

Commissioner Holmes inquired of the total number of students attending the school, to which Ms. Avalos advised that currently the school served 42 students. The school also had ratios of 9 students per classroom. Currently five classrooms were being occupied. There was a capacity for six classrooms.
Commissioner Tumbaga requested clarification from staff that the applicant had met the conditions of project approval.

Mr. Strelo explained that the conditions of approval imposed on the July 1999 approval and design review approvals had all been met with the exception of one with respect to part of the play area. Spectrum Center had initially planned to install a climbing structure, although when they reached the development of that portion of the site there had been problems with some of the fall zones for the play equipment, which had been one of the reasons the applicant desired to proceed with the use permit and design review at this time so as to provide an adequate play area for the children.

Mr. Strelo also acknowledged that there had been some issues with respect to parking, although he understood that the applicant had solved those problems. Staff was unaware of any new problems since that time. He added that he was also unaware of any condition that restricted the number of students that could be enrolled in the school. The current resolutions before the Commission also did not include any restrictions on the number of students that could enroll in the facility.

DAVE KEPSELL identified himself as the owner of Ace Hardware located at 125 East Leland Road adjacent to the Spectrum Center. He reported that he had owned the business since 1972 and had approximately 29 parking spaces in front of his business, while the Spectrum Center had a total of 15 parking spaces. He reported that he had experienced continual problems with users of the Spectrum Center using his parking lot on a daily basis, which had impacted his customer parking.

Mr. Kepsell explained that he had spoken with the Planning Commission related to the initial application for the building. He had not been informed when the school had proposed the expansion located to the rear of the site. He reported that his business had three rows of parking, while the school had two rows of parking. He emphasized that the school users had been double parking, with buses parking behind other cars. He expressed concern with the current request for expansion, which could further impact the parking accommodations for his customers.

Mr. Strelo referenced site plan Sheet A1, Short Term Improvement Plan, which identified the circulation for the school site and additional parking to be provided during Phase I where ten parking spaces would be added. He clarified that Phase I would include no additional buildings or structures.

PUBLIC HEARING CLOSED

Commissioner Glynn inquired whether or not the plans could separate the parking for Ace Hardware from the school use so that each would be self-contained. He also inquired whether or not a third party owned the parking spaces.

Mr. Jerome explained that unless there was a cross access or cross parking agreement recorded on the property, there could be a physical barrier placed between the two properties, although he acknowledged that a physical barrier could restrict ingress and egress to the properties.

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Mr. Strelo explained that both properties had parking contiguous to their respective businesses. The property line divided the parking lot, which was located between the buildings continuing on to Leland Road. There was no physical divider between the parking lots. With the staff review of the parking requirements for the Spectrum Center, no parking spaces on the Ace Hardware property had been included in that count. The use met the parking standards set forth in the Municipal Code. Staff was therefore of the opinion that the ten additional parking spaces should alleviate the parking problems.

Commissioner Glynn suggested that as a condition of approval, a joint use agreement relative to the parking lot should be negotiated between the two parties prior to the approval of the project. While he recognized that a fence could be constructed to separate the uses, he commented that could interfere with ingress and egress configurations on Leland Road, especially since the parking lot had been designed to allow for a free flow through both parking lots as one single entity.

Commissioner Glynn suggested that the resolutions include a condition identifying the parking spaces for each use prior to the approval of the expansion.

Chairman Kee recognized that the owner of Ace Hardware desired to make further comments. He reopened the public hearing at this time.

PUBLIC HEARING REOPENED

Mr. Kepsell advised that his site had two driveways while the school had one. Not opposed to the school using his driveways, he emphasized that the problem was with long term parking for the school where the school's teachers had been parking in his customer parking spaces on a frequent basis all day long.

Commissioner Valentine inquired of the applicant the number of individuals who drove cars to the school on a daily basis.

Ms. Avalos explained that the school currently had 21 employees and everyone drove a vehicle. She acknowledged that there were 15 parking spaces in front of the building with some parking spaces along the side of the building, not including the plan to add ten additional parking spaces. She was confident that the ten additional parking spaces would alleviate the parking concerns.

In response to Commissioner Holmes, Ms. Avalos explained that she had not met the owner of Ace Hardware prior to the meeting. She expressed the willingness to meet with him to reach an agreeable solution. In addition, she could provide her employees with specific directions on where parking would be permitted.

PUBLIC HEARING CLOSED

MOTION: UP-01-02

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Motion by Commissioner Valentine to adopt Resolution No. 9191, approving UP-01-02, a use permit for immediate (playground and parking) and future expansion (additional classrooms) of a private school located at 135 East Leland Road for the Spectrum Center, with the conditions as shown. The motion was seconded by Commissioner Holmes and carried by the following vote:

Ayes: Commissioners Glynn, Holmes, Kelley, Leonard, Tumbaga, Valentine, Kee

Noes: None

Abstain: None

Absent: None

MOTION: DR-01-04

Motion by Commissioner Valentine to adopt Resolution No. 9192, approving DR-01-04, design review approval of architectural drawings to construct a playground area and additional parking area and freestanding sign located at 135 East Leland Road for the Spectrum Center, with the conditions as shown. The motion was seconded by Commissioner Holmes and carried by the following vote:

Ayes: Commissioners Glynn, Holmes, Kelley, Leonard, Tumbaga, Valentine, Kee

Noes: None

Abstain: None

Absent: None

The Commission modified the agenda to address Item No. 3 prior to Item No. 2, the continued discussion on the General Plan.

COMMISSION CONSIDERATION:

Item 3: Johns Manville Truck Tarping Station - Extension of Approval of DR-99-10.

Request by Joe Duszka of Johns Manville Corporation to extend the time period for Resolution No. 9137, which approved architectural plans for a truck tarping safety station on site of the 20.4 acre Johns Manville plant located at 420 East Third Street, IG (General Industrial) zone; APN 073-050-001.

Mr. Jerome reported that DR-99-10 had been approved in January 2000. The applicant had yet to be able to commence construction and had submitted a written request for a one-year extension, as permitted under the City code.

Mr. Jerome recommended approval of Resolution No. 9190, with the conditions as shown.

Commissioner Valentine inquired of staff or the applicant why the project had been delayed.

PROPONENT:

BARRY BAGLEY, Johns Manville Corporation, P.O. Box 591, Pittsburg, explained that the delay

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had been caused since the individual in charge of the project had been involved with other projects and had left the company in October 2000. Another individual, Joe Duszka, had assumed the responsibility of the project, but he too left the company in January 2001 while the project was waiting to be installed. He advised that the materials had been on-site for the past six to eight months awaiting installation pending the appropriate soils samples to install the project.

Commissioner Valentine inquired whether or not the soils samples were needed to determine the stability of the soil. He inquired how long it was anticipated before the project was completed.

Mr. Bagley affirmed that the soils samples were being done to determine the stability of the soil. He was uncertain how long it could take to complete those samples since he was not an engineer and he was not the individual in charge of the project. He anticipated that the project could be completed prior to the end of the year.

Commissioner Glynn expressed concern given the nature, product development, and past history of the site. He suggested that the evaluation of the soils samples was critical and he was reluctant to approve the request for an extension pending the results of the soils samples.

Commissioner Valentine inquired whether or not the soil samples were being tested for contamination and whether or not the soils could withstand the installation of the tarping station.

Mr. Bagley understood that the soils were being tested to determine whether or not the soils could withstand the cement required to install the tarping station. He reiterated that he was not an engineer and he was uncertain of the specifics involved. He understood that the footings would be seven to eight feet deep to accommodate the T-structure required for the tarping station.

Commissioner Valentine advised that he had not been present when the Commission had initially considered the project. He was inclined to defer a vote on the project to allow additional information to be provided to ensure soils stability and to ensure no impacts to the surrounding neighborhood.

Commissioner Tumbaga pointed out that the project had been approved and the applicant had run out of time due to delays in starting construction. All of the tests and engineering details had previously been required at the time of the Commission's initial approval. She suggested that to prevent the applicant from proceeding was unfair since the project had already been approved and the applicant was requesting an extension of that original approval.

Commissioner Glynn disagreed and suggested that it was important to be apprised of the soil content, water table and other related issues relevant to stability if the project were to require deep footings that would penetrate the soil on a known site that contained hazardous materials. He supported a deferral of the discussion pending the receipt of additional information as noted.

Commissioner Valentine inquired of staff whether or not the Commission should be concerned with the project. He reiterated that he had not been present when the project had initially been
considered, although he expressed concern that Johns Manville had not been a good corporate neighbor in the community. He noted that such concerns could have been raised during the initial hearing and he might not have approved the application at that time had he been present. He supported a six-month extension with staff to provide him with the same information that had been presented to the Commission at the time of the original application.

Commissioner Glynn inquired of staff when the current approval for requisite tests and evaluations was due to expire.

Mr. Jerome clarified that the application had expired on January 25, 2001. Unless the Commission acted on the request for an extension, the request of which had been made by the applicant prior to the expiration date, the approval would be null and void and the applicant would be required to re-apply. The Commission could either approve or deny the extension request.

Commissioner Glynn questioned why the request for an extension had not been agendized for Commission consideration in January 2001 prior to the expiration of the prior approval.

Mr. Jerome advised that the applicant was only obligated to request an extension prior to the expiration date. The applicants could not control when items were agendized for consideration by the Commission. The initial approval had been for a standard one-year approval to pull building permits. The required soils tests were part of the building permit process.

Commissioner Valentine suggested that it appeared as if the applicant was not in a hurry to proceed with the project. As such, he suggested that the application be denied. When the applicant was ready to proceed, he stated that a reapplication with the applicable fees could be submitted.

Chairman Kee commented that to deny the applicant an extension or to limit the extension to a six-month period when other applicants were normally given a one-year period, would be unfair. He suggested the request should be treated as any other request. He too noted that the Commission had approved the project and the applicant had paid the applicable fees at that time. Part of the building permit process would be for the Building Department to evaluate whatever environmental concerns might be warranted based on the existing soils. He suggested that should be taken into consideration when considering the request for an extension.

MOTION:

Motion by Commissioner Tumbaga to adopt Resolution No. 9190, extending Resolution No. 9137 approving DR-99-10, architectural plans for a truck tarping station for Johns Manville Corporation at 420 East Third Street, for a one-year period.

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

Ayes: Commissioners Holmes, Kelley, Tumbaga, Kee

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Commissioner Valentine requested that staff provide additional information in the future for such requests so that the Commission could be fully apprised of an application to be able to make an informed decision.

Chairman Kee clarified that the item involved a request for an extension, not the approval of a previously approved project.

**CONTINUED PUBLIC HEARING:**

GP-97-01.

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" (General Plan Update). The General Plan designates land uses and appropriate policies to guide future growth throughout the City of Pittsburg and the City's identified Planning Area.

Mr. Jerome explained that the first public hearing had been held on March 8, 2001 when the Land Use Element and General Plan policies had been discussed. The public hearing had been continued at that time to the current meeting with the intention of breaking the General Plan into chapters, to be able to discuss each chapter individually. He clarified that comments would not be restricted to those issues. The focus of the current discussion would be on the Downtown and Urban Design Elements of the General Plan.

Mr. Jerome reported that Mr. Smith's earlier comments during public comment with respect to the Land Use Element of the General Plan would be taken into consideration.

After the current hearing, Mr. Jerome advised that the public hearing process would continue to a Special Meeting of the Planning Commission scheduled for March 20, 2001. Future dates would be scheduled in order to discuss other chapters of the General Plan. Written comments would be provided to the Commission as they were received. Staff had already provided the Commission with copies of written comments received as of this date. Staff would take all comments and letters and prepare all of the comments for Commission review at the end of the process through a redline version of the document, prior to the adoption of the Final General Plan.

Associate Planner Avan Gangapuram explained that the current discussion would focus on Chapters 4 and 5 of the General Plan with respect to Urban Design and the Downtown Element.

The Urban Design and Downtown Element would address the following main issues:
Mr. Gangapuram explained that copies of all of the policies for the Urban Design and Downtown Element had been provided to the public.

Mr. Gangapuram stated that the City's ridgelines had been separated into two categories, Major Ridgelines and Minor Ridgelines. He advised that the Major Ridgelines had been defined based on the major trunk of a ridgeline. A Minor Ridgeline had been defined as a tributary that led from the Major Ridgeline. In addition, the height of the ridgelines played an important role in identifying the ridgelines.

The General Plan also included goals and policies on ridgeline protections, hillside development and lot configuration, whereby some development could be undertaken within the hills without destroying the entire ridgeline or the ridges that were located in the Southern Hills. The Urban Design Element also discussed landscaping, streetscaping and certain guidelines on what types of building structures could be developed in the Southern Hills and in other areas.

The Urban Design Element also provided broader guidelines as to how development could occur. The General Plan further attempted to provide adequate housing to cater to the needs of the City's growing population and to meet the population growth that had been projected by the Association of Bay Area Governments (ABAG). At the same time, the General Plan attempted to preserve the natural features that were located within the City. The Urban Design Element also addressed Mixed Land Use Districts, Neighborhood Design and development in and around transit hubs, such as BART.

Referencing the Downtown Element, Mr. Gangapuram explained that in 1986, the City had adopted a Downtown Specific Plan that had created a special entity for the downtown where specific land uses would be permitted. The General Plan incorporated all of those aspects and improvised on the previously adopted 1986 Downtown Specific Plan through the identification of different uses that would be allowed, and what type of gentrification could be undertaken to make the downtown a destination point.

The downtown had different land uses as compared to the rest of the City. One of the prominent features of the downtown land uses would be Marine Commercial, since it was the area that had not been developed, included access to the water and would be an appropriate area to attract businesses and make the downtown a destination point, while enhancing the economic base of the downtown.
through the promotion of residential retail businesses. Additionally, the Downtown Element would allow for residential uses in the downtown area and allow for enough densities to cater to the needs of the businesses in the area. The Downtown Element of the General Plan also identified different uses, development standards and identified specific goals for commercial and residential areas.

PUBLIC HEARING CONTINUED

SCOTT DENNY, Executive Vice Present, CEO, Pittsburg Chamber of Commerce, read into the record correspondence written on behalf of the Chamber of Commerce Board of Directors. The Board of Directors expressed concern for the City's proposed General Plan, although the Chamber understood that the City must draft a plan that maintained the critical balance between the City's economic health and environmental aesthetics.

Mr. Denny advised that the Chamber of Commerce had suggested that the plan coupled with the Environmental Impact Report (EIR) did not, in its current form, meet that balance. The Board of Directors encouraged the City to allow for more flexibility within the plan to accommodate high quality and select projects along ridgelines and hillsides, which could be achieved while still preserving the natural beauty of the City.

GREGORY OSORIO, Pittsburg, suggested that the City had the responsibility now and in the future of maintaining the beauty of the existing ridgelines. Uncertain how the proposed General Plan compared to the General Plan that was in place when existing development on the ridgelines had occurred, he commented that such development would not have been tolerated in other communities. He suggested that the same should not be tolerated in Pittsburg.

Mr. Osorio also expressed concern with the correspondence read into the record from the Chamber of Commerce. He suggested that the Chamber of Commerce had not been positive for the community in terms of being pro-business since the Chamber had endorsed the toxic waste incinerator at Dow Chemical and a previous proposal for a casino. He suggested that the City continue on its existing path with respect to the policies and goals to preserve the City's ridgelines and hillsides.

Mr. Osorio described the downtown as a treasure and the heart and soul of the community. He encouraged the City to maintain the existing character of the downtown while also attempting to attract new businesses. He cited, for example, efforts made by the City of Benicia for live/work spaces that brought people into that community.

Mr. Osorio further commented on the need for affordable housing. Having worked with people in the City for the past 15 years, he emphasized the need for affordable housing in the City while also considering possible setaside funds for affordable housing.

GLORIA THOMAS, Pittsburg, inquired whether or not the General Plan, as proposed, would extend the City limits to the Southern Hills. If so, she requested that the City leave that area alone.
ELLEN KOLB expressed concern when cities tried to mandate what property owners could or could not do with their property.

KATHERINE DOLORES THOMAS, Pittsburg, understood that the Thomas property was beyond the Urban Limit Line (ULL) in the Southern Hills. She also referenced the California red-legged frog habitat that was not to be developed.

BONNIE WHITE-SCOTT, a resident of Kingsly Drive, Pittsburg, explained that the Thomas Ranch was located behind her residence. She advised that she had purchased her home in October 2000 due to the open space and views. As a lifelong resident of the City, and with her parents lifelong residents, she opposed more development between the Cities of Antioch and Brentwood, in addition to the sprawl that Seeno Development was creating on the other side of Bay Point. While she appreciated the fact that the General Plan would consider limitations in the development of the ridgelines and hillsides, she questioned whether or not any open space would be maintained in the City.

Ms. White-Scott questioned building high priced homes in order to bring in people from outside of the area, which would generate more traffic. She also commented on the development of the Buchanan Road Bypass, which would basically run through her rear yard where the entire area could fill out on both sides with further development. She emphasized her extreme opposition to any further development in the Southeast Hills.

GERALD KETCHUM identified himself as the property owner of 311 Harbor Street, which was currently occupied by a truck storage yard with an office. He expressed concern with the proposed rezoning of the property to Marine Commercial. Not opposed to a Marine Commercial Zoning District, he noted that with neighbors such as Johns Manville across the street as well as other industrial users, it would be difficult to secure potential tenants that would comply with the requirements of the Marine Commercial category.

Mr. Ketchum expressed concern that such businesses would not locate in the community unless there were other businesses, such as a Marriott Hotel, that would attract new tenants. He emphasized that it was difficult to speak to businesses and professional services, offices, restaurants, hotels, marine activity, artist studios, banks and the like, since such uses would not want to locate adjacent to industrial uses like Johns Manville. He suggested that the change in zoning would place the landowners at a disadvantage since it was difficult to find uses that would comply with the new zoning.

MARSHALL TORRE, Braddock & Logan Group, Danville, advised that the company had the Alves property under contract and would be processing a project in the near future with the Planning Commission and the City Council.

Mr. Torre explained that comments had been presented from Braddock & Logan to staff in writing with respect to inconsistencies in the General Plan. For example, he referenced Figure 2-2, which
had identified a park on the Alves property, although Figure 2-4K did not show the same park. He also advised that there had been no school site identified on the Alves property, although a school site had been mentioned in the text on Page 2-62.

Mr. Torre advised that Braddock & Logan was working with the Mt. Diablo Unified School District (MDUSD) with respect to a school site on the Alves property and would hopefully include the City in those discussions in the future.

Speaking to the policy that would require a 200-foot setback from the right-of-way from State Route 4, Mr. Torre explained that the right-of-way along State Route 4 in front of the Alves property was not a uniform width. In some areas there was 200 feet of right-of-way between the edge of pavement and the edge of the right-of-way, so that a standard uniform additional 200-foot setback requirement would actually result in a 400-foot setback from the right-of-way, creating a hardship on the property.

Referencing Page 8-27, Policy 8 (P32), Mr. Torre commented that the text referred to four new school sites in the City limits, although Table 8-7 had only identified three new school sites.

With respect Exhibit 10-2, Mr. Torre advised that it appeared that there was a sizable fault on the Alves property. Extensive geotechnical analysis had been conducted on the property and the developer was unaware of any faults on the property at this time. He added that they would continue to review that issue and would respond back to the City if any inconsistencies were found.

As to the classification of Business Commercial on the Alves property, Mr. Torre noted that the General Plan would provide for 20 acres of Commercial. The Braddock & Logan project had planned for 20 gross acres of Commercial and 15 net acres, with the remaining 5 acres consisting of slope that would have to be filled to make the property level with Leland Road. Uncertain whether or not that would be consistent with the policies in the General Plan, he requested that if their plans were determined to be inconsistent, that the General Plan be revised to allow for 15 net acres, rather than the 20 acres that had been shown.

Speaking to the comments regarding 30 percent slope limitations, Mr. Torre also advised that a significant percentage of the slopes on the Alves property were over 30 percent or were manmade through qualifying activities, grading and the like. Other 30 percent slopes were interspersed throughout the site making it difficult to grade to develop the property in a manner that would be consistent with the General Plan.

C. deBONNEVILLE, Pittsburg, understood that the land use for her property had been proposed to be zoned Open Space. She commented that she had originally had a Land Use Permit where the City had required architectural plans that had cost her $35,000, which were presented to the City and subsequently approved. Since it was her understanding that the property had now been proposed for an Open Space designation, she requested clarification from staff.

Mr. Jerome explained that Ms. deBonville was speaking of zoning while the subject discussion
was with respect to the General Plan. He described the history of the deBonneville property under the 1988 General Plan where the property had been shown as Open Space, which would not preclude all development and which would allow for certain types of uses. When the deBonneville property had been annexed in 1992, the City had presented an application for an animal center to the Planning Commission, which had been approved at that time through an Open Space Overlay Zoning District.

Mr. Jerome advised that essentially the land use component was no different now from that which had been in effect in 1988. The zoning issues would more than likely not continue. He noted that the application for the animal center had terminated since the approvals had expired, necessitating a reapplication of that use through the Planning Commission. The zoning remained intact for the use.

Ms. deBonneville stated that she had done everything possible to meet the City's requirements for the animal center. She noted that the City had requested tests on her land, which had cost her $50,000. Those tests had been completed in addition to the Hazardous Materials Agency having inspected the property. No toxics were found.

Ms. deBonneville also commented on problems that she had with abandoned vehicles on her property. She took this opportunity to express her appreciation to the Police Chief who had advised her on how to dispose of those vehicles. With respect to the animal shelter, she reported that a stop work order had been issued regarding that project, which in her opinion had not been justified.

Chairman Kee commented that he was confident that staff would work with Ms. deBonneville on any remaining issues regarding her use permit.

Commissioner Tumbaga stated that in reviewing the General Plan Map, it was difficult to discern the specific ridgelines. Since technology was available through the use of computers, she inquired whether or not it would be possible to provide the Commission with a graphic simulation of the City's ridgelines and hillsides, which could be aged to simulate how they might appear aesthetically 20 years from now with any future developments that had been proposed. She suggested that would provide the Commission with a conceptual idea of the development of those areas.

Commissioner Valentine agreed with Commissioner Tumbaga's recommendation. He also inquired whether or not a three dimensional model could be prepared to simulate potential future development on the City's ridgelines and hillsides.

Commissioner Holmes inquired whether or not the Commission could plan a field trip of the City's hillsides to allow the Commission to review the areas while considering the changes to the General Plan. He commented that a field trip had been conducted in the past when the Commission had deliberated on a past proposal.

Commissioner Leonard suggested that it would be a good idea for the Commission to conduct a field trip to walk some of the hillsides and ridgelines. While he recognized that many people did not want any development in the hillsides or ridgelines, there were plans for future development that should
be taken into consideration. He commented that there had been some subdivisions built in Northern California without destroying the existing landscape.

Commissioner Tumbaga clarified that she was not opposed to development. She agreed that there were ways to build on hillsides while not destroying the aesthetic value of the hillsides and ridgelines. She suggested that was a very important issue when the Commission was considering future development proposals.

Speaking to the Marine Commercial Land Use, Commissioner Leonard commented that there were variances that could be granted to allow a specific business to expand and do different things, especially if a business had proven to be a good neighbor. He cited the proposal from U. S. Glass & Aluminum as an example.

Commissioner Leonard otherwise expressed concern with the time involved in the process of the Commission's review of the General Plan. He expressed concern that the Commission would not be able to review the document without going through it page by page.

Mr. Jerome explained that the intention was for the Commission to review the General Plan document by reviewing each chapter. On March 20, another Special Meeting had been scheduled to allow the Commission to continue the public hearing to review additional chapters where public comment and more written documentation could be provided.

Mr. Jerome stated that it was staff's intent to keep the process moving to conceptualize all of the written and verbal comments received, which could then be addressed. At this time, staff had received few comments on the General Plan policies, other than comments on particular pieces of property and major opinions regarding the hillside and ridgeline policies. Towards the end of the public hearings, he recommended scheduling a meeting just on that policy so that a consensus could be reached.

Mr. Jerome advised that staff would work on preparing better exhibits and possibly schedule a field trip as recommended.

Mr. Gangapuram encouraged the Commission to review the policies and provide any written or oral comments to staff that could be reviewed for further consideration.

Commissioner Valentine referenced the ridgeline and hillside policies. He suggested that homes should be moved farther from the ridgelines and suggested that the proposed 100-foot restriction for development from the ridgelines might be too close. He inquired how much of the Southern Hills that could potentially be developed would have to be part of a Geological Hazard Abatement District (GHAD).

Mr. Jerome explained that GHADs were typically formed in open spaces areas with no development and set up by a group of owners to create a funding mechanism to maintain and/or correct areas of potential landslides.

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Commissioner Valentine commented that there were residential areas in the City that had a GHAD where the City had homes that had been situated on unstable land. He expressed his hope that if there was to be a GHAD in an Open Space designation, no homes would be involved. While he did not support any hillside development, he recognized that might be unreasonable and unfair to some property owners. He agreed that there were ways for such development to occur without impacting the hillsides. He strongly supported a Commission field trip to view those areas where hillside development could occur.

Commissioner Valentine further suggested that firm policies should be in place whereby residential homes did not outpace school sites. If the MDUSD did not have the money to construct additional permanent school facilities, he suggested that no new development should occur.

Commissioner Glynn also commented on the time necessary to review the entire General Plan document and the public hearing process. He suggested that the pace of the public hearings should be increased with the components of the General Plan to be reviewed in a more expeditious manner. He suggested that corrections should be made as the review process moved forward with a master document prepared to incorporate the comments and corrections as the process continued.

Mr. Gangapuram advised that a meeting had already been held on March 8, with another Special Meeting scheduled for March 20, during which time staff had proposed that the Commission and the public review three additional chapters. Staff was of the opinion that the remaining General Plan chapters were not controversial and could be discussed during a single meeting.

In response to Commissioner Glynn, Mr. Jerome explained that consistency findings would have to be made to ensure that any zoning changes would be consistent with the General Plan. Any applications that might be submitted to the Commission for consistency findings would be required to be found consistent with the adopted General Plan, although the zoning might not have been changed and might be different. He described that process as a technical procedure that the Commission might need to go through until such time as the zoning was modified to be consistent with the General Plan.

Mr. Jerome further explained that the City did not have a number of applications before the Commission for consideration that might be impacted by such an inconsistency. He also noted that the City did not have any moratoriums on new applications that might apply to that situation. He referenced the proposal from U.S. Glass & Aluminum, as earlier presented, and advised that staff would review each proposal individually.

Mr. Jerome described the General Plan as malleable at this stage. He noted that potential applicants had been advised that their projects might be inconsistent with what had been proposed in the updated General Plan. He stated that the process would be better defined as it proceeded.

Mr. Gangapuram also clarified that once the General Plan was adopted, there might be some land
use discrepancies between the adopted General Plan Land Use designation and the existing Zoning Districts. Under those circumstances, there could either be an Interim Zoning Ordinance that would address any inconsistencies, or staff could create a Comprehensive Zoning Update.

Commissioner Leonard expressed concern that the City could not control the MDUSD. He was hesitant as to how to craft language for a policy to address school needs. He expressed concern with the verbiage for such a policy to ensure that more problems were not created.

Commissioner Valentine suggested that the City could consider how the City of San Ramon handled its situation with respect to school needs, where a developer had built a school that had coincided with the time when homebuyers purchased the residences in the same area. He emphasized the need for a policy for developers and the MDUSD to work together to have schools in place.

Commissioner Tumbaga agreed that it was important for the Commission to keep up the pace to get through the document, although the document was very important and the Commission needed to ensure that there was ample time to debate all of the issues and to consider all of the comments.

On the discussion, Mr. Gangapuram suggested that the Commission review Chapters 6, 7, 8, and 9 at the next meeting scheduled for March 20, 2001.

MOTION:

Motion by Commissioner Tumbaga to continue the City of Pittsburg Draft Comprehensive General Plan Update, "Pittsburg 2020: A Vision for the 21st Century" GP 97-01, to a Special Meeting of the Planning Commission scheduled for March 20, 2001. The motion was seconded by Commissioner Holmes and carried by the following vote:

Ayes: Commissioners Glynn, Homes, Kelley, Leonard, Valentine, Tumbaga, Kee
Noes: None
Abstain: None
Absent: None

STAFF COMMUNICATIONS:

1. AT&T Wireless Communications Antenna Replacement at 101 Avila Road (AD-01-04)

Mr. Jerome reported that staff had approved a wireless communications antenna replacement for AT&T at 101 Avila Road. The tower would not be changed. The only revision would be a replacement to some of the antennas that would involve less of a mass than the current antennas resulting in less visual impact. Staff had administratively approved the project, which had been brought to the attention of the Commission as an informational item.
Mr. Jerome also noted that the Zoning Administrator had received an application for the approval of Cason Accessory Dwelling at 2132 Carquinez Place. The accessory dwelling was a 693 square foot prefabricated structure to be located on a single-family site. Unless by consensus of the Commission the item would be submitted to the Planning Commission, the Zoning Administrator would consider the item on March 26 at 4:00 P.M.

Mr. Jerome further commented that he looked forward to meeting with the Commissioners who planned to attend the Planners Institute scheduled for March 21-23.

COMMITTEE REPORTS:

There were no Committee reports.

COMMENTS FROM COMMISSIONERS:

Referencing the Johns Manville application considered earlier by the Commission, Commissioner Leonard expressed concern that the approvals for the plans specifically stated that if the work was not completed within a specific timeframe the application would be null and void. If the project was not completed in the required timeframe, he suggested that the applicant be required to reapply and repeat the design review process.

Commissioner Leonard also commented that he had contacted Police Chief Baker regarding a telephone on a pole that had recently been installed behind an existing service station located at Tenth Street and Railroad Avenue. He inquired whether or not staff could review the installation since he could not recall that it had been approved by the Planning Commission and since he understood that it was located on City property.

Commissioner Holmes requested that staff review whether or not the business located on East Tenth Street in a building formerly occupied by a restaurant had been properly permitted by the City.

Mr. Jerome expressed the willingness to review both matters.

Speaking to the Johns Manville application, Commissioner Valentine reiterated his previous request when a Commissioner was absent on a vote, that the resubmittal of an application include all relevant information. He reiterated that he might have opposed the application had he been present during the initial public hearing. He explained that he had abstained on the vote earlier in the discussion since he was unaware what he was voting on absent additional information.

Commissioner Valentine otherwise inquired whether or not the City had an ordinance for motor homes or fifth wheels located in residential areas. He also inquired of the status of the Stroup
property. He emphasized that the property remained an eyesore and that it posed a danger to the neighborhood given that it had remained incomplete for the past six years.

Mr. Jerome explained that the City code stipulated that such recreational vehicles could be parked on City streets for a maximum of 72 hours. He also advised that the Building Department was dealing with the Stroup property. He understood that the property owner had yet to receive final approvals from the Building Department.

Mr. Jerome clarified, when asked, that extensions could be obtained on any building permits. The Stroup property involved an unmotivated builder. He too recognized that the situation had gone on too long.

Commissioner Valentine suggested that the building was a danger since it was an eyesore, leading to vandalism and was a hazard to the health of the community. He recalled that three years ago the City was considering taking court action, although the property owner had promised at that time to complete everything to allow the building to be occupied prior to the rainy season. To date, nothing had been done. He urged the City to do something to resolve the situation. He emphasized that as of December 2001, it would be seven years since the home has sat uncompleted in the neighborhood. He suggested that the City purchase the property and put it to appropriate use.

Mr. Jerome described the history of the Stroup property and commented that the City was limited as to what could be done with that property. He advised that the Building Department was dealing with the issue.

Commissioner Tumbaga agreed with Commissioner Valentine's concerns regarding the continual delays related to the Stroup property.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:48 P.M. to a Special Meeting of the Planning Commission on March 20, 2001 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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RANDY JEROME, Secretary
Pittsburg Planning Commission

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