A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Holmes at 7:30 P.M. on Tuesday, November 27, 2001, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Garcia, Glynn, Harris, Leonard, Chairperson Holmes

Absent: Commissioners Kelley, Valentine

Staff: Acting Director, Building and Planning Randy Jerome; Planning Technician Dana Hoggatt; Planning Intern Christopher Barton; Assistant Civil Engineer Alfredo Hurtado; Economic and Redevelopment Coordinator Brad Nail; and Administrative Assistant II Fara Bowman.

POSTING OF AGENDA:

Chairperson Holmes advised that the agenda had been posted at City Hall on Wednesday, November 21, 2001.

PLEDGE OF ALLEGIANCE:

Commissioner Garcia led the Pledge of Allegiance.

MINUTES: November 13, 2001

MOTION:

Motion by Commissioner Garcia to approve the minutes of the November 13, 2001 meeting, as submitted.
The motion was seconded by Commissioner Leonard and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine

DELETIONS/WITHDRAWALS:

There were no deletions or withdrawals.

COMMENTS FROM AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

Kirker Creek CRMP - Junko Peterson - Contra Costa Resource Conservation District

Acting Director Building and Planning Randy Jerome reported that a presentation was scheduled to have been made by the Contra Costa Resource Conservation District, although Ms. Peterson was not yet present. He recommended that the item be deferred until Ms. Peterson's arrival.

COMMISSION CONSIDERATION:

Item 1: Report and Recommendation on the Proposed Redevelopment Plan Amendment

Redevelopment Agency requests recommending adoption of the Proposed Fourth Amendment to the Community Development Plan for the Los Medanos Community Development Plan.

Economic and Redevelopment Coordinator Brad Nail reported that the item had been presented to the Planning Commission on one previous occasion in the form of an informational item. He advised that the Redevelopment Agency was in the process of deleting several parcels of industrial property from the redevelopment area since those parcels had decreased in assessed value in excess of $100 million.

Mr. Nail explained that the item was the proposed Fourth Amendment to the Community Development Plan that had been adopted on November 28, 1983. The purpose of the planned amendment was to delete four parcels located at USS POSCO Steel, Dow Chemical, GWF Power, and Praxair. The USS POSCO Steel parcel would involve the immediate steel mill and not the immediate surrounding property.
The deletion of the parcels from the redevelopment area had been necessitated as a result of the County's downward reassessment of the value of the parcels, which had resulted in the Redevelopment Agency's inability to collect tax increment from that portion of the project area that had been added in 1993.

The proposed plan amendment would not change the financial provisions of the Redevelopment Plan and would not alter the land uses set forth in the Redevelopment Plan, which had incorporated the General Plan as the land uses permitted under the Redevelopment Plan. The planned amendment would be consistent with the General Plan and would improve the Agency's ability to increase the collection of tax increment monies that could be used for the betterment of the community.

Mr. Nail advised that the Planning Commission was being asked to adopt Resolution No. 9262, Recommending Adoption of the Proposed Fourth Amendment to the Redevelopment Plan to delete the territory that had been identified from the Los Medanos Community Development Project.

In response to Commissioner Glynn with respect to the tax increment due to the City from the several natural gas pipelines, electrical transmission lines, recycled water lines and the like that might cross over the parcels under consideration, Mr. Nail advised that the proposed amendment would not affect the tax increment due to the City.

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9262, a Resolution Reporting on and Recommending adoption of the Proposed Amendment to the Redevelopment Plan to Delete Territory from the Los Medanos Community Development Project. The motion was seconded by Commissioner Leonard and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine

Item 2: Shell Gas Stations. DR-01-49 (Buchanan Road), DR-01-50 (Railroad Avenue) and DR-01-51 (Loveridge Road).

Applications by Darin Tietgen, ARC Inc., requesting design review approval of plans to modify the approved canopy and building colors and signage of the three existing Shell Gas Stations located at 1315 Buchanan Road in a CN (Neighborhood Commercial) zone, at 3737 Railroad Avenue in a CC (Community Commercial) zone, and at 2253 Loveridge Road in a CC (Community Commercial) zone; APNs 088-460-001, 088-065-026, and 088-630-011.
Mr. Jerome advised that during the October 9, 2001 Commission meeting there had been a staff communication regarding minor remodeling of the three Shell Gas Stations within the City that had reflected Shell's corporate change of colors. The Commission had debated those changes and had requested a full design review of the three stations.

Planning Technician Dana Hoggatt presented the request for design review approval of plans to modify the approved canopy, building colors and signage for the three existing Shell Gas Stations located at 1315 Buchanan Road in a CN zone, at 3737 Railroad Avenue in a CC zone, and at 2253 Loveridge Road in a CC zoning district. She reiterated that the item had been presented to the Commission on October 9 as a staff communication item.

Ms. Hoggatt explained that the remodels consisted primarily of changes in color and illumination at the stations located on Buchanan and Loveridge Roads and on Railroad Avenue. The Buchanan Road station would consist primarily of color changes to the building with no additional illumination. The existing buildings were currently a light gray color and would be painted white with a gray base strip and some additional paneling added to the canopy of the pump stations. A yellow canopy had been incorrectly shown on the plans without an additional red line drawn around the canopy along the yellow panels. The red line proposed to be painted on the yellow canopy parcels would not be illuminated.

The Loveridge Road station would involve similar changes with yellow panels added to the canopy and with the building to be painted white. The Loveridge Road station would involve a red illuminated bar that would be added to the canopy strip. Red lettering would be added to the canopy at that location. The Railroad Avenue station would be similar to Loveridge Road, with the building to be repainted white, with a color modification of the canopy to yellow, and with a red illuminated strip and red lettering.

In response to some of the concerns expressed by Commissioners during the initial presentation, Ms. Hoggatt stated that there would be no structural changes to the buildings, although the applicant's original submittal had included changes to the fascias on the buildings, which were presently angled. The applicant had planned to flatten the fascias, although that had been changed in response to Commission concerns. As a result, the building fascias would remain at an angle.

Since the initial presentation of the applications, Ms. Hoggatt advised that staff had visited and viewed other Shell Gas Stations that had been completed, including a station in the City of Lafayette, which was similar to the Buchanan Road station. Others in the cities of San Francisco and Oakland that were comparable to the Loveridge Road and Railroad Avenue stations had also been reviewed.

Ms. Hoggatt stated that since staff had viewed some of the completed remodels, staff had changed its recommendation for the Railroad Avenue gas station.
Ms. Hoggatt suggested that the Buchanan Road station would be an appropriate remodel since the colors would be similar to the apartment complex located across the street and since no additional illumination had been proposed, resulting in no substantial changes from what currently existed.

The Loveridge Road station would involve a more substantial change as a result of the increased illumination and brighter colors on a larger canopy, although the station was located in a commercial area where there was already substantial amounts of lighting in the Wal-Mart parking lot located to the east of the Shell Gas Station. Colors and lighting features had also been mirrored in other buildings in the immediate vicinity, including Popeye's Chicken and Biscuits, which was unbuilt and not been approved to have a similar yellow exterior and red awnings. Wendy's, located to the west of the site had red neon lights that lined the exterior walls similar to the red band proposed for the canopy on the Loveridge Road station.

Ms. Hoggatt stated it was staff's opinion that the proposed remodel for the Railroad Avenue station would not be appropriate since it was in a location with no similar colors in the immediate area and there was not a substantial amount of illumination in the area that would compare to what had been proposed. As such, since there was no similar design features or lighting elements around that station, and that application was recommended for denial.

Ms. Hoggatt recommended that the Planning Commission adopt Resolution No. 9263, approving DR-01-49, adopt Resolution No. 9264, denying DR-01-50 and adopt Resolution No. 9265, approving DR-01-51.

PROONENT:

DARIN TIETGEN, ARC Inc., 940 Tyler Street, Suite 23, Benicia, clarified that the illumination being proposed would not result in an increase of what currently existed at either of the stations. He explained that the two stations where the illuminated red bar had been proposed would replace existing lighting currently on the light wells that were located around the canopy and which were currently yellow in color. That element would be decommissioned and replaced with the red illuminated light bar. He also clarified that the light bar would not be a neon light but would be a backlit halo light fixture.

Mr. Tietgen presented a number of photographs to the Commission to identify completed Shell Gas Stations similar to what had been proposed for the three stations in the City, including the Lafayette station that had been the subject of the staff visit. He also presented samples of the designs for the FoodMarts for the Shell Gas Stations.
Mr. Tietgen clarified, when asked, that the existing gables on the gas stations would remain. He also advised that staff had been provided with updated drawings, which had shown that the existing gables would remain.

Ms. Hoggatt explained that the resolutions before the Commission had been based on the initial plans that had been submitted to staff. Staff had received and updated in the Commission packets updated copies of the plans showing retention of the existing gables at the Loveridge Road and Railroad Avenue Stations. Staff had not received updated copies of the photo simulations identifying the retention of the existing gables, although the photo simulations contained in the Commission packets had been included to visualize the colors that had been proposed for the three sites. She further clarified, when asked, that staff had recommended the denial of the Railroad Avenue station as result of the proposed color scheme.

Commissioner Garcia inquired whether or not the colors for the Railroad Avenue station could be softened, to which Mr. Tietgen commented that was something that would have to be discussed with staff.

MOTION:  DR-01-49

Motion by Commissioner Garcia to adopt Resolution No. 9263, approving DR-01-49, Design Review approval of remodeling plans for exterior color and signage changes to an existing service station at 1315 Buchanan Road, "Shell RVI," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine

MOTION:  DR-01-51

Motion by Commissioner Garcia to adopt Resolution No. 9265, approving DR-01-51, Design Review approval of remodeling plans for exterior color and signage changes to an existing service station located at 2253 Loveridge Road, "Shell RVI," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine
Speaking to the staff recommendation for the denial of DR-01-50 for the station located at 3737 Railroad Avenue, Commissioner Harris commented on his understanding that the existing gables on the station would remain.

Mr. Tietgen reiterated that he would be willing to retain the existing gable at the Railroad Avenue station.

Mr. Jerome understood Commissioner Harris' intent to approve DR-01-50, with the architectural elements of the station to remain the same with the colors as proposed, although he questioned whether or not the Commission preferred that a revised drawing be provided. If so, he pointed out that staff had only prepared a resolution of denial, so the item would be required to return to the Commission. He suggested that the Commission continue DR-01-50 to the meeting of December 11 to allow staff the opportunity to return with a resolution of approval.

MOTION:

Motion by Commissioner Garcia to continue DR-01-50, the remodeling plans for exterior color and signage changes to an existing service station at 3737 Railroad Avenue, "Shell RVI" to the Planning Commission meeting of December 11, 2001, to allow staff the opportunity to prepare a resolution of approval, with conditions to specifically retain the existing gables and the use of the Shell Gas Station corporate colors. The motion was seconded by Commissioner Glynn and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine

Chairperson Holmes advised that a decision by the Planning Commission was not final until the appeal period expired ten days from the meeting. The applicant, City Council, City Manager, or any affected person may appeal either the denial, approval or any condition of approval of an item within ten calendar days of the decision.

PRESENTATIONS:

Kirker Creek CRMP - Junko Peterson - Contra Costa Resource Conservation District

Mr. Jerome acknowledged the arrival of Ms. Peterson and suggested that the presentation be made at this time.

JUNKO PETERSON, Contra Costa Resource Conservation District (CCRCD), reported on the status of the Kirker Creek Watershed Management Plan, a project that the CCRCD had initiated during the summer. She advised that the CCRCD was a non-regulatory
special district whose mission was to support soil and water conservation efforts, particularly as the County was being developed. The CCRCD's federal partner was the USDA National Resource Conservation Service, which provided technical support of the CCRCD projects.

The USDA National Resource Conservation District was in the process of preparing a resource inventory for the Kirker Creek CRMP, which would be supported by an approximate $200,000 grant from Cal FED.

Ms. Peterson advised that the watershed area had been defined as that area on which when rain fell, it would flow into Kirker Creek. She presented a map to the Commission to identify the boundary of the Kirker Creek Watershed, which watershed included diverse land uses, parts of the Black Diamond Mines Regional Preserve, portions of the cities of Pittsburg and Antioch and much of the industrial commercial uses in the City. In addition, a wetlands preserve was also identified in the watershed area.

Ms. Peterson explained that the planning process would follow the Coordinated Resource Management and Planning (CRMP) process based on three principles, including local control, consensus in decision making and voluntary implementation. Her job was to facilitate that process. She advised that the CCRCD was making decisions by consensus so that everyone must agree to what would go into the plan. The implementation of that plan would be voluntary.

Ms. Peterson stated that earlier this summer the CCRCD had established a committee of local stakeholders to develop the plan document with the group meeting once a month, which would continue until the plan was completed. The first meeting had been held in August with a discussion of goals and objectives.

Ms. Peterson presented a list of the various stakeholders in the area receiving information on the planning process who had been provided with meeting notes and agendas. She added that there was a roster of 20 people who attended the monthly meetings and who were responsible for making the consensus based decisions on the watershed.

Ms. Peterson advised that the group had identified a number of issues and concerns, including ranching and soils, waterways and wetlands, planning and development, water quality, water resources, fish and wildlife habitat, parks and recreation, home and neighborhood issues, flood management, responsible industry and fire and grasslands.

Goal statements would be developed for each of the identified issues and objectives would be developed to eventually discuss what action could be taken to improve the condition of some of the resources. It was anticipated that a draft plan would be released in January 2003. The finalization of the document was anticipated by May 2003, when the Cal FED funding would expire.
Ms. Peterson stated it was important to establish some implementation framework for the plan since it was voluntary and was tied to a grant source. It would also be important for the Commission to consider what came next and how to create something that could be used in the future. In addition, an important outcome would be to increase the community awareness of watershed issues through partnerships with local schools and educators. Some of that work was already being done with coordination efforts being planned for a Creek Clean Up Day utilizing in-classroom education to show how their segment of the creek was linked to the entire watershed. The CCRCD was also working to involve a chemistry class at Los Medanos College to conduct water quality testing on Kirker Creek. Ms. Peterson further commented that she had reviewed some chapters of the City's General Plan and suggested that there was an opportunity for partnerships. She referenced a City policy for monitoring water quality in the local creek and reservoir systems, which the CCRCD was starting to get at through the various school programs. She also referenced a policy for the preparation and dissemination of information of harmful effects of harmful substances, and the establishment of a 150-foot creek setback. As the City began to implement and codify the policies in its ordinances, she suggested that the Commission could be a good sounding board for getting into the specifics and for implementing the policies.

Ms. Peterson also suggested that it would be beneficial to have a plan that would assist the City in securing grant funding to offer a good idea of what types of projects the community might support. She expressed her appreciation to the City for its support in the CCRCD's efforts and looked forward to a continued relationship with the City.

Commissioner Glynn noted that the Pittsburg Planning Commission was not a member of the CCRCD, although the City itself was a member. He also noted that the Contra Costa Consolidated Fire Protection District (CCFPD) was not a member, which he suggested was important in the maintenance of the watershed. He emphasized that the City had just completed a three and a half year process of updating its General Plan and the first time he had heard of the CCRCD had been during a Rotary Club meeting less than sixty days ago. He questioned what had occurred along the way in terms of involving the Planning Commission in the current process.

Ms. Peterson clarified that the list of members she had provided to the Commission included those invited to participate in the meetings, although some of the agencies had chosen not to send a voting member. She cited the Army Corps of Engineer and the East Bay Regional Parks District (EBRPD) as entities that were monitoring the project but which had not volunteered members to participate in the process.

Commissioner Glynn reiterated his concern with the makeup of the group and the consensus building process. He emphasized in terms of safety and all of the planning the City had just completed for the General Plan, that the subject discussion should have been a major portion of the plan for the watershed portions in the General Plan.
Ms. Peterson suggested that part of the problem had been one of timing in that when the CCRCD had secured funding to commence with the watershed-planning project, that timing had not coincided with the City's General Plan process.

Ms. Peterson suggested that would be okay since the General Plan was a city policy setting document, whereas the CCRCD plan could be more specific in terms of specific projects and could help to implement some of the City's General Plan policies.

Commissioner Glynn pointed out the time involved to complete the update of the General Plan due to the content specificity of the input from all of those listed as stakeholders as well as others interested in providing input on the General Plan. He reiterated that he would have liked to have been aware of the Kirker Creek CRMP as soon as the funding had become available since it would have been helpful in developing the final outcome of the General Plan.

Commissioner Garcia inquired whether or not a subcommittee member of the Planning Commission should join the consensus group meetings of the CCRCD.

Ms. Peterson advised that the consensus group was an evolving process and would welcome new membership.

Mr. Jerome suggested that if the Commission would like to appoint a member as a stakeholder and as a representative of the City of Pittsburg that could be done.

On the discussion, Chairperson Holmes appointed Commissioner Glynn as the representative from the City of Pittsburg Planning Commission to the Kirker Creek CRMP Consensus Group.

**Item 3: Solomon Temple Freestanding Sign. DR-01-46.**

Application by Chuck Nickerson of Nickerson Signs, requesting design review approval of elevations and architectural plans for a freestanding sign for Solomon Temple Church located at 655 California Avenue, CN (Neighborhood Commercial) zone; APN 073-140-008.

Planning Intern Christopher Barton presented the request for design review approval of elevations and architectural plans for a freestanding sign for Solomon Temple Church located at 655 California Avenue, in a CN zoning district. It was noted that a vehicle had destroyed the original sign, which sign had not been approved by the Planning Commission since it had been constructed prior to the annexation of the church into the City.

A temporary wall mounted sign was located at the front of the church and would be
removed upon the approval and construction of the proposed freestanding sign. The new monument sign would be mounted in the same location as the old sign, in front of the church along a grassy strip, perpendicular to California Avenue and set back from the public right-of-way. The sign would be 5 x 7 feet in size with a pitched top design. The base material would consist of decorative rock the same as what had been utilized on the building. The remainder of the sign would be painted white with red lettering.

Mr. Barton stated that the upper portion of the sign would identify the church and indicate the hours of activity. The lower portion of the sign would consist of an illuminated reader board. He stated that the sign met the Pittsburg Municipal Code requirements for signage and would not obstruct the visibility of oncoming traffic for vehicles exiting the subject or adjacent properties.

Mr. Barton recommended that the Planning Commission adopt Resolution No. 9261, approving DR-01-46, with the conditions as shown.

PROONENTS:

BEAUFORT WILLIAMS, Deacon Board, Solomon Temple Church, 655 California Avenue, Pittsburg, expressed his appreciation to the Commission for the review of the sign application.

WILLIAM TROTTER, Deacon, Solomon Temple Church, 655 California Avenue, Pittsburg, affirmed, when asked, that they had read the staff report and were in agreement with the staff recommended conditions of approval.

OPPONENTS: None

MOTION:

Motion by Commissioner Glynn to adopt Resolution No. 9261, approving DR-01-46, Design Review approval of plans for a freestanding identification sign for an existing church at 655 California Avenue, "Solomon Temple Church," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine

Chairperson Holmes advised that a decision by the Planning Commission was not final until the appeal period expired ten days from the meeting. The applicant, City Council, City Manager, or any affected person may appeal either the denial, approval or any condition of approval of an item within ten calendar days of the decision.

Application by Nicanor Macha requesting approval of a use permit to allow automotive repair and interior storage of vehicles in a 3,000 square foot space located at 640 Garcia Avenue, Unit F, IP (Industrial Park) zone; APN 088-392-005.

Planning Technician Dana Hoggatt presented the request for the approval of a use permit to allow automotive repair and interior storage of vehicles in a 3,000 square foot space located at 640 Garcia Avenue, Unit F, in an IP zoning district. She advised that the application had been continued from the meeting of November 13 due to the absence of the applicant. She had been apprised that the applicant had been unable to attend the meeting due to a death in his family requiring that he leave the country without being able to inform staff of his inability to attend the meeting.

Ms. Hoggatt explained that the application had been presented to the Commission during the meeting of November 13 and that there were no changes to the proposal presented at that time related to the expansion of an existing business. She reported that staff had added Condition No. 8 to the resolution of approval in response to the Commission's concerns expressed at the previous meeting to ensure that vehicles were not parked in any fire lanes or vehicle access aisles.

PROONENTS:

NICANOR MACHA, 640 Garcia Avenue, Suite C, Pittsburg, introduced himself to the Commission.

BETTY BONITA advised that she worked with Mr. Macha. She acknowledged that she had received a copy of the staff report, which she had explained to Mr. Macha. She affirmed that Mr. Macha understood the staff recommended conditions and would comply with those conditions, including a condition to ensure the correct parking of vehicles.

Commissioner Garcia emphasized that during the previous meeting the Commission had received testimony from an individual who was concerned with the driveway being blocked by vehicles, which was the reason the Commission wanted to ensure that Mr. Macha understood the conditions of approval and the need to comply with those conditions.

Ms. Bonita acknowledged that a muffler shop was located adjacent to the subject business, as was a transmission and upholstery shop across the street, both of which involved a number of vehicles. She noted that the applicant had his vehicles marked out front with three parking spaces on both sides of the driveway. She reiterated, when asked, that Mr. Macha understood the staff-recommended conditions of approval.
OPPONENTS: None

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9260, approving UP-01-26, a Use Permit for an automotive repair shop at 640 Garcia avenue, Unit F, "Nico's Auto Repair," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioners Kelley, Valentine

Chairperson Holmes advised that a decision by the Planning Commission was not final until the appeal period expired ten days from the meeting. The applicant, City Council, City Manager, or any affected person may appeal either the denial, approval or any condition of approval of an item within ten calendar days of the decision.

STAFF COMMUNICATIONS:

Mr. Jerome advised that the Commission had been provided with a packet of information from the City Attorney regarding Planning Commission procedures and how the business of the Commission should be conducted. The information had been provided at the request of the City Council in light of comments made by Commissioner Valentine during a previous Commission meeting. In addition, information and a response from the City Attorney had been provided regarding the number of occupants permitted in a residential use.

Mr. Jerome requested that the Project Review Subcommittee (formerly the Chevron Ad Hoc Subcommittee) convene with Commissioners Garcia and Valentine as the primary members and Commissioner Harris as the Alternate. He noted that Mayor Quesada and Councilmember Rios were also members of the subcommittee.

Mr. Jerome explained that the subcommittee was being asked to convene since the City had received a preliminary application for a residential project on the Builder's Circle parcel located on 22 acres originally designated as an industrial park subdivision. The proposal for a housing development would be presented to the subcommittee for comment, which proposal would be consistent with the previous General Plan. The updated General Plan had included a policy that would allow residential developments to be considered on non-residential sites adjacent to the Downtown area. He requested that subcommittee members contact staff as to their availability so that staff could schedule a meeting.

Mr. Jerome otherwise reported that the meeting of December 11 would include two items.
No items had been scheduled for the meeting of December 26 and as such the Commission should consider canceling that meeting.

The consensus of the Commission was to cancel the meeting of December 26.

Speaking to the information provided by the City Attorney regarding the maximum number of persons allowed in residential properties, Commissioner Garcia suggested that the Code Enforcement Bureau should enforce those areas experiencing problems, such as the El Dorado Drive and Heights neighborhoods. He suggested that Code Enforcement should investigate some of the complaints received by the City.

Mr. Jerome advised that as stated in the memorandum from the City Attorney, the City could not concentrate constitutionally on the users, but could address the uses.

Commissioner Garcia noted that the City ordinance stipulated that a certain number of persons per square foot were permitted, which was something that should be enforced.

While he recognized the concerns, Mr. Jerome emphasized the difficulties with respect to enforcement. He commented on the need to work in concert with the Code Enforcement Bureau.

Commissioner Garcia suggested that the issues be discussed with Commander Hendricks of the Code Enforcement Bureau at the time of his quarterly presentation to the Planning Commission.

Commissioner Harris requested an accounting of Commission meetings when Commissioner Valentine had been absent, which he requested be forwarded to the City Council for possible action by the Council.

Mr. Jerome acknowledged that attendance records of the entire Commission had been forwarded to the City Council.

GENERAL PLAN UPDATE REPORT:

Mr. Jerome reported that the General Plan Update had been adopted by the City Council by a vote of 4-1 during a special meeting on November 16. The General Plan update had been adopted as recommended by the Commission, along with other changes requested by the City Council. Those changes required revisions to the General Plan Modifications Exhibit. Staff was also working with the General Plan consultant to complete those changes and to recodify the document to allow for the republication of the General Plan, as adopted by the Council.

Mr. Jerome advised that he would probably retain the General Plan Update Report on the
Commission agendas to be revised as a General Plan Implementation Report, since that would involve revisions to the Zoning Ordinance. The City Council would be required to adopt an Interim Zoning Ordinance within the next year, which would be the link between the new General Plan and the existing zoning, particularly since there were a number of areas that were currently inconsistent with the General Plan.

The Interim Zoning Ordinance would allow an applicant to file an application that might be consistent with the new General Plan, although inconsistent with the existing Zoning Ordinance, where applications would be required to be reviewed by the Commission and where findings must be made that the project was consistent with the General Plan. That would allow such projects to move through the process.

Mr. Jerome also reported that the General Plan consultant was working on the Housing Element, which had been adopted in part and which would be required to be reformatted to be consistent with the requirements of the State Department of Housing and Community Development (HCD).

Commissioner Harris pointed out that he and several current Commissioners, including Commissioner Garcia, had been involved in the update of the General Plan for several years prior to the last few years of discussion and action. As such, he suggested it was appropriate that he and Commissioner Garcia had been involved in the current discussions since they had been involved in the very beginning of the process.

**ZONING ADMINISTRATOR REPORT:**

Mr. Jerome reported that an application had been received for the former Lucky store to relocate Petsport to that site. As a result of the General Plan update, he stated that the property had been changed to a Service Commercial use. He reported that Petsport was working on some interior demolition and painting on the outside of the building and the project would involve the interim Zoning Ordinance. The applicants planned to install a fence to secure the site from graffiti and vandalism. An application had been filed for a fence height exception, which application had been scheduled for a public hearing before the Zoning Administrator on January 7, 2001.

**COMMITTEE REPORTS:**

There were no committee reports.

**COMMENTS FROM COMMISSIONERS:**

Chairperson Holmes took the opportunity to express his appreciation to Mr. Jerome and planning staff for the preparation of the General Plan Update and for the work to bring the

November 27, 2001
Mr. Jerome also recognized the efforts of the Planning Commission over the past several years, including Planning Technician Dana Hoggatt, who had provided assistance when former Associate Planner Avan Gangapuram, who had been the General Plan Update Project Planner, had accepted another employment opportunity outside of the City.

Commissioner Harris commented on the recent street-paving project occurring in the neighborhood of Mariposa, El Dorado and El Camino Drives and questioned why the work was being done during the winter months. He questioned why the engineering and contracts were not put out until the spring to allow work to commence in the summertime. He expressed concern that many projects occurred in the wintertime and he understood that there had been problems with the compaction of the soil for the current project as a result.

Commissioner Harris also noted that the corner of Stoneman Avenue and Harbor Street had signage that had recently been placed by the property owner indicating that it was a one-acre plus property where a 17-unit senior project was being advertised for sale. He inquired whether or not the signage and form of advertising was permitted in the City.

Mr. Jerome expressed the willingness to review the matter.

Assistant Civil Engineer Alfredo Hurtado added that he would review the situation involving the current roadwork in the neighborhood referenced by Commissioner Harris.

Commissioner Garcia inquired of the status of work being conducted at the former Post Office building located at the corner of Fifth Street and Railroad Avenue.

Commissioner Leonard recognized some of the roadwork being conducted in the downtown area and noted that in the area of Tenth Street and Railroad Avenue a lane that led nowhere had been striped, posing a potential safety and traffic hazard. He requested that situation be corrected to prevent potential hazards.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:47 P.M., to a Regular Meeting of the Planning Commission on December 11, 2001 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

Randy Jerome, Secretary
Pittsburg Planning Commission

November 27, 2001