A regular meeting of the Pittsburg Planning Commission was called to order by Chairman Kee at 7:30 P.M. on Tuesday, January 23, 2001, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

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

Absent: Commissioner Leonard

Staff: Community Development Director Nasser Shirazi; Planning Manager Randy Jerome; Assistant Planner Chris Bekiaris; Assistant Planner Ken Strelo; Assistant Planner Avan Gangapuram; and Civil Engineer II Alfredo Hurtado.

POSTING OF AGENDA:

Chairman Kee advised that the agenda had been posted at City Hall on Friday, January 19, 2001.

PLEDGE OF ALLEGIANCE:

Commissioner Valentine led the Pledge of Allegiance.

MINUTES: December 12, 2000

Commissioner Glynn suggested that there were several action items included in the minutes that factually did not occur during the timeframe mentioned and required some follow-up from staff in order to bring them forward. He referenced, for example, the General Plan Draft and other materials that were to have been completed but had not been completed during the indicated timeframe.

MOTION:
Motion by Commissioner Kelley to approve the minutes of the December 12, 2000 meeting, as submitted. The motion was seconded by Commissioner Holmes and carried by the following vote:

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

DELETIONS/WITHDRAWALS:

There were no deletions or withdrawals.

COMMENTS FROM AUDIENCE:

There were no comments from the audience.

PRESENTATION:

There were no presentations.

COMMISSION CONSIDERATIONS:

ITEM 1: Harbor Lights Subdivision - New House Plan (DR-00-11) and Clarification of Condition of Approval (RZ-00-02).

Request by Vince Fletcher of Schuler Homes of California, Inc., for approval of an additional home model for the Harbor Lights (formally "Regency Estates") Subdivision (DR-00-11) and for clarification of Condition No. 3 of Planning Commission Resolution No. 9163 which recommended approval of the PD Plan (RZ-00-02) for Subdivision 7514 on Willow Pass Road north of North Parkside Drive in a Planned Development (1174) zone.

Planning Manager Randy Jerome explained that the item was for minute approval only for a previously approved project requesting clarification and modification to the original approval by the addition of another home plan. No additional resolution of approval would be necessary since the action, as requested, would fit under the existing approval documents.

Assistant Planner Chris Bekiaris presented the request for approval of an additional home model for the Harbor Lights (formally "Regency Estates") Subdivision and for clarification of Condition No. 3 of Planning Commission Resolution No. 9163, which recommended approval of the PD Plan for Subdivision 7514 on Willow Pass Road north of North Parkside Drive in a Planned Development zone.

The project had been sold from the original builder to Schuler Homes of California, which had previously requested Commission and Council approval to amend the Planned Development Plan to allow the construction of single family homes as opposed to mobile or manufactured homes. The tentative map for the project remained the same. The project consisted of 253 lots and 253 single-
family homes would be constructed on the site. The developer expected to begin framing the homes in three to four weeks.

Mr. Bekiaris explained that the design review application had been approved by the Planning Commission on April 25, 2000, at which time three plans had been approved. The applicant had indicated that a fourth home plan would be submitted to the Commission for consideration to fit some of the unusually configured lots.

As indicated in the staff report, Mr. Bekiaris stated that a lot line adjustment would be necessary for some of the parcels in order to fit the model home to the parcel since the project had been changed from a mobile home park to a single family residential development. The lot line adjustment would be handled administratively by the Engineering Division. No action was required by the Planning Commission for the lot line adjustment.

The three home plans initially proposed ranged in size from 1,680 to 2,156 square feet. Plan Four would consist of 1,787 square feet. All of the homes would be two story units.

The Commission was also being asked by minute action to clarify Condition No. 3 of Resolution No. 9163, which stated that "...each lot shall have required setbacks of 20 foot front yard, 5 foot side yard and 10 foot rear yard. There may be a three-foot extension to one of the side yard setbacks. Corner lots shall have a 4 foot side yard and minimum 8 foot street side yard." The condition was similar to one approved for the San Marco, Oak Hills and East Street Estates subdivisions, where the 20 foot front yard setback is to be to the garage door, which would allow some portions of the homes to be placed closer to the street.

Mr. Bekiaris recommended that the Planning Commission approve the design for Plan 4 and elevations A, B and C dated December 6, 2000, subject to the conditions of Resolution No. 9164 and that the Commission clarify that Condition No. 3 of Resolution No. 9163 (and Ordinance No. 00-1174) means that the front yard setback is 20 feet from the back of curb (property line) to the garage door.

Commissioner Glynn requested clarification with respect to Condition No. 6. He expressed concern with the potential impacts to flood control and wetlands. He inquired of the status of those issues. He also understood that the western end of the property had buried fuel lines. He questioned how close those lines were to the project site.

Mr. Bekiaris advised that an Environmental Impact Report (EIR) had been prepared for the project. Prior to the permitting process, the Department of Fish and Game and the Army Corps of Engineers had approved the project. The flood plain channel had been left as is with no construction to occur in that area.

In addition, the home pads had been raised one to two feet to ensure that there would be no danger of flooding. A hydrology study had also been prepared that indicated that there was no chance of flooding of the subdivision.
Mr. Bekiaris also commented that the only fuel lines he was aware of were located in the right-of-way of the Union Pacific Railroad lines that did not run through the subdivision. He emphasized that all factors had been reviewed during the EIR process.

PROONENTS:

VINCE FLECTHER, Schuler Homes of California, Inc., 1250 Pine Street, Suite 305, Walnut Creek, explained that the developer would be completing the Americana project to the south of the subject site which had surpassed demand. A larger home had been added to that development which was also the most popular model.

Mr. Fletcher explained that with inheriting the mobile home park property, there were several lots that accommodated a single loaded coach that was long and narrow. The developer had developed a product that would fit on the lots and had been developed for a project built in the Cities of Dublin and Alameda. The side of that home elevation might appear like the front elevation and corners would be used as such, with a side entry garage.

The home elevation would be utilized for 11 lots that were long and narrow. In addition, some of the homes would encroach in front of the home so that the home would be closer than 20 feet to the street. In all cases, the garage and driveway would have 20 feet for parking and would include a two-car garage.

Mr. Fletcher noted that the lot line adjustment that would be handled administratively by staff would ensure that all of the homes fit.

In response to the Chair, Mr. Fletcher affirmed that the developer would comply with all of the initial conditions of approval.

In response to Commissioner Holmes, Mr. Fletcher commented that the home prices might continue to rise which had consistently occurred with each home release. He advised that all of the improvements were in with the site having been graded and with the utilities and joint trenches having been installed. Paving would be conducted dependent upon the weather. The models would be constructed within three weeks to a month and thereafter be open for sale. Since the market was fluctuating, he could not speak to the exact prices of the homes at this time.

Chairman Kee understood the floor plan at the rear identified a fireplace and on the rear elevation there was no chimney. If a fireplace were to be installed, he requested clarification that it would not involve a wood-burning fireplace.

Mr. Fletcher affirmed that the fireplace would be a self-contained gas unit that would not require a chimney.

MOTION:
Motion by Commissioner Tumbaga to approve the design for Plan 4 and elevations A, B and C dated December 6, 2000, subject to the conditions of Resolution No. 9164. The motion was seconded by Commissioner Holmes and carried by the following vote:

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

MOTION:

Motion by Commissioner Tumbaga to clarify that Condition No. 3 of Resolution No. 9163, (and Ordinance No. 00-1174) means that the front yard setback is 20 feet from the back of curb (property line) to the garage door. The motion was seconded by Commissioner Holmes and carried by the following vote:

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


Application by Robert Talley, LLC International, Inc., for design review approval of the architectural plans of two antennas and a cabinet located at existing antenna and structure at 300 Olympia Drive (Pittsburg Water Treatment Plant) in a GQ (Governmental Quasipublic) zone; APN 087-090-050.

Mr. Jerome explained that the facility would be located on City property at the City's Water Treatment Plant. The item was before the City Council for franchise approval and was now before the Planning Commission for design review approval.

Assistant Planner Ken Strelo presented the request for design review approval of the architectural plans of two antennas and a cabinet located at the existing antenna and structure at 300 Olympia Drive at the Pittsburg Water Treatment Plant.

The purpose of the antennas was to provide the applicant with additional hardware for the nationwide digital radio system. On November 20, 2000, the City Council had approved Resolution No. 00-9293, authorizing the City Manager to execute a Lease Agreement with XM Satellite Radio for the space needed for the antennas.

In section four of Resolution No. 00-9293, XM Radio had been referred to the Community Development Department for design review approval.

Mr. Strelo explained that the use would be permitted in the Governmental and Quasi-Public Zoning
District, as a Minor Utility. Due to the existing design and appearance of the structure, the addition of the two antennas would not be noticeable to the public. Simulated photographs depicting the appearance of the antennas had been provided in the Commission packets.

Mr. Strelo noted that the building already had several panel antennas, a lattice tower and guide wires running from the tower to the roof. Staff was of the opinion that the aesthetic impact to the surrounding areas would be insignificant. The project would be exempt from the requirements of the California Environmental Quality Act (CEQA), per Class 1, existing facilities.

Mr. Strelo recommended that the Planning Commission adopt Resolution No. 9183, approving Satellite Radio Earth Facility, DR-01-01, with the conditions as shown.

PROPsponents:

ROBERT TALLEY, LCC International Inc., 3497 Breakwater Court, Hayward, representing the contractor for the radio facility, stated in response to the Chair that he had neither seen nor read the staff report and was unaware of the recommended conditions of approval.

Chairman Kee declared a recess at 7:55 P.M. to allow the applicant the opportunity to review the conditions of approval.

The Planning Commission meeting reconvened at 8:00 P.M. with all Commissioners present or absent as shown.

Mr. Talley advised that after a review of the conditions, he was in agreement with those conditions.

MOTION:

Motion by Commissioner Kelley to adopt Resolution No. 9183 approving DR-01-01, design review approval of architectural plans for two radio antennas on an existing structure located at the Pittsburg Water Treatment Plant for "Satellite Radio Earth Facility", with the conditions as shown. The motion was seconded by Commissioner Valentine and carried by the following vote:

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

Speaking to the first Public Hearing item on the agenda for the Pittsburg Family Apartments, Chairman Kee reported that the applicant had approached him some time ago to provide architectural services. Although he had not been selected as the architect for the project, since there was the potential for a conflict of interest, he advised that he would administer the hearing and participate in the discussion but would not vote on the issue.
PUBLIC HEARINGS:

ITEM 3: Pittsburg Family Apartments, UP-00-14 and DR-00-28.

Application by Magdy Hanna of Community Housing Partners for a use permit to allow a density bonus and incentive agreement and design review approval of architectural and site development plans for the construction of an 81-unit mixed income apartment complex in an RM (Medium-Density Residential) zone located at 390 Central Avenue; APN 086-151-003.

Mr. Jerome explained that the application had been submitted to the Commission in September 2000. At the request of staff, the applicant was directed to submit a Preliminary Plan Concept to allow the Commission to consider the proposal and provide comment prior to the applicant filing a formal application.

At that time, the project had included some market rate units but had primarily involved subsidized housing. The applicant was seeking a density bonus under the Zoning Ordinance and an incentive as allowed under the density bonus statutes, for reduced parking.

Based on the reaction and comments from the Planning Commission at that time, the applicant filed a formal application for a use permit as required for the density bonus, which would require City Council approval. Through the density bonus contract, the applicant would agree to lease or rent the apartment units to lower income tenants, to be guaranteed through a 30 year time period.

The Commission was being asked to consider the use permit for the density bonus provisions as well as the design review application for the project itself.

Mr. Jerome further explained that it had been recommended by both staff and the Commission that the applicant hold neighborhood meetings to obtain input from the neighborhood regarding the project. He had since learned that there had been a neighborhood meeting on January 18 in the Council Chambers. Since staff had been unaware of that meeting, no staff member had attended the discussion. Staff was also unaware of the results of that meeting.

Assistant Planner Ken Strelo presented the request for a use permit to allow a density bonus and incentive agreement and design review approval of architectural and site development plans for the construction of an 81-unit mixed income apartment complex in a Medium-Density Residential zone located at 390 Central Avenue. In addition to the 80 rental apartments, a manager's unit would be located on the second floor above an approximate 2,000 square foot recreation building. The recreation building would include a utility room, computer room, offices, multi-purpose area kitchens, bathrooms, and a laundry area with 14 washers and dryers.

The complex would consist of two different floor plans. Two bedroom, two baths units would make up 57 of the total units and would total 908 square feet in size. The remaining 24 units would
consist of three bedroom, two bath units, totaling 1,068 square feet. Eighty-one covered parking spaces would be provided with 116 open parking spaces, totaling 197 parking stalls. The total number of parking spaces would fall six parking stalls below what was required through the City's parking ordinance.

All parking would be located along the west and south sides of the project between the buildings and the property lines. The property would also provide for an eight-foot high masonry wall located on the west and south property lines. The street side would include a decorative six-foot tubular fence. A basketball court, swimming pool and play area would also be provided for the residents' enjoyment.

The project would require a low or moderate-income status in order to receive the density bonus. Of the 81 units, 25 units would be available for very low-income families, at 50 percent of the median income pursuant to the County's median income standard. The remaining 56 units would be available for low-income families, at 60 percent of the County's median income standard. Due to the low or moderate-income status of the project, the City and the applicant could enter into a density bonus and incentive agreement.

Without the density bonus agreement, the maximum number of units allowed on the subject site would be 63 units. Pursuant to the General Plan and Zoning Ordinance, since the site was zoned for Medium Density Residential, a multi-family residential development would be allowed, although the project would be considered a high-density use if approved.

Speaking to the traffic and circulation for the project, Mr. Strelo explained that the exit on Solari Drive had the potential to become a sight hazard. Mitigation measures, as identified in the Mitigation and Monitoring Plan and the conditions of approval, specifically Condition No. 17 of Resolution No. 9185, would require the applicant to limit landscaping in the building locations so as not to interfere with the visibility of the motorists and pedestrians at the location.

Mr. Strelo advised that a Mitigated Negative Declaration pursuant to the requirements of the California Environmental Quality Act (CEQA) had been posted on site and had been filed with the County Clerk on December 28, 2000 to comply with the requirement for such posting 20 days prior to the date of the hearing.

Mr. Strelo recommended that the Planning Commission adopt Resolution Nos. 9184 and 9185 approving UP-00-14 and DR-00-28, with the conditions as shown.

In response to Commissioner Holmes, Mr. Strelo reiterated that staff had not been advised of the neighborhood meeting and had not attended that meeting.

Mr. Jerome reported that staff had received correspondence this date signed by a number of residents in the neighborhood with a request for a continuance.
Commissioner Valentine inquired of the yearly income that would apply to the very low-income units and whether those figures would be based on the 2000 Census. He pointed out that he had requested that information during the previous hearing but had yet to be provided with that information.

Mr. Strelo advised that he was unaware of the figures based on the 2000 Census since the 2000 Census data was not yet available.

Commissioner Tumbaga commented that the income data that was available and used throughout the housing industry was available between January and March of each year. The project would probably utilize the 2000 Census income data unless the 2001 data was available to adjust those income figures. She requested that the applicant clarify that information.

Commissioner Glynn noted that the financial information had been requested when the Commission had last discussed the project as identified in the meeting minutes of that meeting. None of that information had been provided. He emphasized that during the initial discussion, there had been a number of concerns expressed with respect to traffic, safety, density, circulation mitigation and the possible relocation of the basketball court. While the applicant was to have provided revised plans, nothing had been received from either the applicant or staff.

PUBLIC HEARING OPENED

PROPOUNENTS:

MAGDY HANNA, Community Housing Partners, 930 West 16th Street, #E2, Costa Mesa, reiterated that the project would consist of 81 units to be located at 390 Central Avenue. He noted that the development would be a joint venture between Pacific National Development and Lanar Homes. He reiterated that 57 of the units would consist of two bathroom, two bath units, totaling 908 square feet in size and that 24 units would consist of three bedrooms, two baths, consisting of 1,068 square feet. The clubhouse would be approximately 2,032 square feet in size and would house a computer room, offices, a kitchen, a multi-purpose room, and 14 washers and dryers.

The project would also provide 81 covered parking spaces and 116 open parking spaces and would be surrounded by an eight-foot high masonry block wall on the west end and south sides of the property. The elevation on Solari Street would include wrought iron fencing.

Mr. Hanna noted that the Medium Density Residential zoning for the property would allow 63 units. An additional 18 units had been requested in order to provide units for low-income families.

Mr. Hanna explained that the project would be financed through a 4 percent bond tax exempt bond financing program. As a result, 25 of the total units would at the 50 percent median County income level. Fifty six units would be under the 60 percent median County income level. The proposed rent for the project under the 60 percent median income would be $912 for the two bedroom units, and
$1,054 for the three bedroom units.

Pursuant to the 50 percent median income level, the proposed rent would be $760 for the two bedroom units and $878 for the three bedroom units.

A survey of the rents for the apartments in the area had been prepared and was presented to the Commission for review. The rental survey included an analysis for the 60 percent median for the County, which would allow the rents, as proposed, for the two bedroom units and the three bedroom units. Additional information included a survey of rent for other projects in the area. The project rents being proposed would be slightly below the rent in the area.

Chairman Kee inquired whether or not Mr. Hanna had read and was in acceptance with the staff recommended conditions of approval.

Mr. Hanna advised that he had read the conditions of approval and was in agreement with them.

Commissioner Tumbaga inquired of the medium income range that was being used for the project. She inquired whether or not all of the units would be rented to lower income families.

Mr. Hanna reiterated that the project was based on the 60 percent median range of $67,000 for Contra Costa County. He noted that all of the units would be available to the low income families that qualified under the 50 or 60 percent median income range.

Commissioner Valentine commented that during the initial study session the applicant had proposed 20 percent of the project to be market rate apartments. He questioned why that had been removed from the project, particularly when the applicant had promised that market rate housing would be provided and would be increased, if feasible, to comply with the required funding.

Commissioner Valentine expressed concern that the applicant had disregarded the direction of the Commission and had returned without additional information that the applicant had promised to provide. He questioned whether or not the rental rates referenced would be firm. He also questioned whether or not the applicant had minutes from the neighborhood meeting that had been conducted.

Mr. Hanna advised that based on the previous discussion, the Commission had expressed concern with the very low and low income units and the Commission had expressed a desire for a higher income. He noted that he had been asked to determine whether or not he could increase the 20 percent market rate to a higher level. With a change in the project financing from a 9 percent tax credit financing to the 4 percent tax credit financing, the project could now only utilize the 50 and 60 percent median income rental rates as opposed to the 35 to 60 percent median income.

Mr. Hanna stated that he had returned with a proposal that he thought was in the spirit of the previous discussion for a project that would be very close to market rate.
Commissioner Valentine inquired of the minimal rental income for the very low income units that would be available. He understood that the minimum income would be $33,500 for a family. Mr. Hanna explained that would be for a family of three, although he would have to verify his figures. He commented that he had returned with a project that would be very close to the market rate rather than a project that had to use the 35 to 40 percent rates to rent the project.

As to the neighborhood meeting, Mr. Hanna acknowledged that a neighborhood meeting had been held in the Council Chambers, although only one individual was in attendance at that time. He had later learned that the front doors at City Hall had been locked and some residents had been unable to access the building.

Mr. Hanna emphasized that the rental rates, when set, could not be changed since they could lose the exemption from the tax credit program if the rent imposed by the financing were modified.

Commissioner Tumbaga commented that the Section 8 income levels that the applicant had indicated they would be using for the project were on a sliding scale. Since 50 percent of the median income was based on a family of four, a family of three with a median income could possibly be lower as would a family of two or one. As such, for the sake of the Commission, she noted the need to be provided with clear information on the criteria for qualification, particularly since the incomes were important to prove to the community that the units would be applicable to those who had otherwise been priced out of the current real estate market.

While she recognized that it was not the applicant's fault that the City Hall front doors had been locked preventing some residents from attending the noticed neighborhood meeting, Commissioner Tumbaga emphasized that a meeting with the neighborhood residents must be held in an accessible location.

MERLIN EDWARDS, Edwards Consulting, advised that he was working with the applicant on the project. He also commented on the situation involving the neighborhood meeting that had recently been held at the Council Chambers. Unbeknownst to the applicants, the front door to City Hall had been locked which had come to their attention after the meeting. One person had come to the meeting and they had discussed the project with that individual. He understood that others had attempted to attend the meeting but could not access the building.

Commissioner Tumbaga inquired if the application was continued whether or not that would have any impact on the funding and the feasibility of the project. She expressed concern that a number of people who had been notified of the neighborhood meeting had been unable to be heard. She emphasized the need to address the neighborhood concerns with another community meeting. She suggested that the more people were involved and able to express their concerns, the applicant would be more informed as to what needed to be done to make the project more appealing to the surrounding neighborhood.

Mr. Hanna acknowledged that another community meeting could be held. He also recognized a
number of people present in the audience who he understood wished to speak on the matter. He agreed that a two-week continuance could allow an opportunity to address the additional concerns.

Commissioner Tumbaga questioned whether or not the applicant would be able to meet with the neighborhood during that two week period if the application was continued this date. She emphasized the need for everyone to have the opportunity to discuss the project prior to any action by the Commission. Not opposed to the project, she wanted assurance that the residents had the opportunity to be heard.

Mr. Hanna affirmed that another neighborhood meeting could be held during that time if the application was continued for a two week period.

Mr. Edwards referenced the correspondence that had been received by staff this date from one of the residents. He noted the issues that the correspondence had addressed and commented that he had spoken with that resident after the neighborhood meeting, at which time he had learned that the doors to City Hall had been locked. He had advised that individual that the project would have to adhere to any rules and regulations imposed by the Planning Department, particularly regarding the construction of the masonry wall.

Mr. Edwards also noted in response to some of the concerns identified in the correspondence, that the development would involve a management company that would manage the property, in addition to a professional gardener who would be employed by the management company to ensure that the property was kept clean both inside and outside of the development.

Commissioner Glynn emphasized that if the application was continued the issues already identified, specifically regarding traffic, sound mitigation and other concerns, would need to be addressed. He pointed out that at the previous meeting the applicant had agreed to a right turn only from the development at Solari Street. That agreement had yet to be clarified.

Commissioner Glynn also noted that vehicles would be unable to travel from the City of Antioch and make a left turn movement into the exit. He reiterated that the applicant had not addressed mitigation measures for the traffic on Central Avenue. He expressed concern with the potential safety hazards that could result with traffic turning right out of the entrance from the project, traveling across Central Avenue and onto Railroad Avenue, particularly during the evening hours.

Commissioner Glynn questioned the distance from the point of approach to the railroad tracks. He questioned whether or not any windows would face the railroad tracks. He emphasized that during the previous meeting, the Commission had discussed the possible installation of a sound wall of two stories in height, in addition to the proposed masonry wall that had been proposed to surround the west and south elevations. He also questioned the stabilization of the soil and foundation, particularly given the close proximity of the railroad tracks.

Commissioner Glynn further questioned what rent the applicant would actually charge with regard to the specific income of the proposed residents. He agreed that there should be some market rate
housing to offset the affordable housing since there were those with incomes within the market rate range that needed housing as well.

Commissioner Glynn also expressed concern with two way traffic on the Pittsburg/Antioch Highway and Central Avenue during the day and evening. He noted that there were no mitigation measures in the plans that would mitigate those impacts. In addition, he expressed concern with the incompatibility of two story structures with the existing homes on the other side of Solari Street and with the general appearance of the homes in the Central Addition. He pointed out that most of the homes in the Central Addition were one story units.

Commissioner Glynn emphasized the potential for environmental impacts and also inquired whether or not any environmental testing had been done to identify any negative environmental impacts associated with the site.

Commissioner Tumbaga commented that given the Section 8 rule of 35 percent of income, those persons in that income range could afford a rent of $843.75 at the 50 percent median income. Thirty five of the Section 8 income would be $984.37, taking into consideration the typical requirement of three times the rent income requirement.

Mr. Hanna advised that the rental information he had provided to the Commission had been based on information from the County and had been based on the 50 and 60 percent median income level.

Commissioner Tumbaga inquired whether or not the applicant had considered any other form of financing for the project to keep the rents lower. She also inquired when the project could come to fruition if approved within the next month.

Mr. Hanna explained that at this time other financing options had not been considered. If the project were approved soon they could submit the project for the second round of tax exempt bond financing, which would occur sometime in May. Results of the application usually took two months. If approval were obtained in July, they would have 90 days to commence with construction, with the project to start construction prior to the end of the year.

Mr. Hanna otherwise commented that with the current use of the property and in speaking with one of the residents of the neighborhood, the property could be improved with the project that had been proposed.

Commissioner Valentine noted that the conditions of approval had not addressed the need to address vandalism or graffiti on the property as soon as it occurred. He also agreed that the entrance or exiting on Solari Street should be revised.

Commissioner Valentine also commented that the sound wall that had been proposed might mitigate the sound impacts to the residents of the project, but could result in sound impacts to the surrounding residents. He suggested that there were other options that could be considered.
Given the need for affordable housing, Commissioner Valentine inquired whether or not City residents would be offered first priority in occupying the proposed units, to which Mr. Hanna advised that those persons qualified to rent in the project and who resided in Contra Costa County would be entitled to reside in the project.

Commissioner Valentine questioned whether or not the applicant was receiving any financial aid or bonus from the City for the project.

Mr. Jerome stated that he was uncertain whether or not the applicant had requested financial assistance from the City. He reiterated the intent of the density bonus and incentive agreements.

Commissioner Valentine reiterated his preference that City residents have the first opportunity to reside in the project.

Chairman Kee commented that such a stipulation could have legal ramifications in that Fair Housing Laws might come into play preventing the project from placing a certain category or group ahead of others.

Mr. Hanna clarified that the concerns with the sound impacts could be added as a condition of approval where they would employ all technology to provide sound attenuation for the residents and to ensure that residents were not impacted by the adjacent railroad use.

Commissioner Valentine emphasized the need to address any sound impacts to the surrounding residents as well in that a sound wall could reflect noise onto the residents in the adjacent Central Addition neighborhood. He also recommended that a condition be imposed on the project that all vandalism be removed within a 24-hour period.

Mr. Strelo explained that as a mitigation measure, an engineering study would be required to be prepared by the applicant. The scope of work could be written to include that potential impacts on surrounding residents be studied as well as any impacts to the proposed residents of the project.

Commissioner Holmes commented that he had reviewed the project in depth. In his opinion, the project was not appropriate for the proposed location.

Chairman Kee referenced the correspondence received by staff this date, which had been signed by a number of residents of the area. He expressed concern that the letter had indicated that the Community Development Department had not provided information in a timely manner for review. Residents had requested that the application be continued.

Mr. Strelo explained that the individual who had written the letter had requested copies of the Initial Study and the Mitigated Negative Declaration for review, but that he had not been present when that individual had come to the City to obtain copies. He noted that staff could extend the comment period, although it would be up to the direction of the lead agency.
Mr. Strelo added that the lead agency could indicate that the 20 day comment period had passed and that no additional comments would be taken, although the Commission could incorporate those comments into its deliberations.

Chairman Kee recognized that the correspondence referenced had been signed by 18 other residents of the area.

OPPONENTS:

BEN JOHNSON, a resident of Pittsburg, expressed concern with the traffic impacts as a result of the additional 81 units being proposed, which he suggested would increase the number of vehicles on an already overburdened street. He also expressed concern with the requirements and qualifications of those who might reside in the proposed development.

Mr. Johnson agreed that sound mitigation was important for the area. As to the public notification process, he suggested that the 300 square foot rule should be expanded in that there were other properties that could be impacted by the development that should also be notified. He suggested that the application should have been posted in the newspaper as well.

Mr. Johnson noted that there were other low income apartment developments in the immediate area that had experienced problems. In that regard, he questioned how the proposed development would impact existing crime and graffiti concerns. He also expressed concern with the lack of participation at the neighborhood meeting, as previously discussed.

Mr. Johnson expressed concern with the fact that the project involved a Section 8 structure. In addition, he expressed concern with the stability of the property, the proximity of the property to the railroad in terms of potential environmental impacts, whether or not a Traffic Mitigation Study had been prepared by the City or by the applicant, and whether or not a traffic signal had been considered for the corner of Solari Street and Central Avenue.

Mr. Johnson further commented on the blight in the area, the number of projects that were to be developed in the area that had yet to be completed and whether such conditions would change with a low income project. He also inquired whether or not the applicant had adequate capital to complete the project and he expressed concern that the City would be responsible for completing the project. Opposed to a high density development unless mitigated, he opposed the project.

JOHN GARCIA, a resident of Barrie Drive, Pittsburg, questioned the fact that the application had been brought forward with a recommendation of approval by staff when there were a number of questions that had not been answered by the developer. He too commented on the traffic conditions and questioned whether or not the City would subsidize the project, particularly when people from all over the County could possibly reside in the development.
Mr. Garcia emphasized that the applicant had not been able to provide answers to a number of questions. He requested that all answers be provided in writing. He requested that an EIR be prepared for the project since potential environmental impacts could result. He also requested that the application be postponed for an indefinite period of time to allow the surrounding residents the opportunity to provide additional input.

Mr. Garcia emphasized that the neighborhood had been improving over the years. He urged the Commission to oppose approval of the density bonus and he suggested that if the project could not stand on its own, it should not be developed.

GEORGE HARRIS, a resident of Hawthorne Street, Pittsburg, understood that the Chair had bid on the project. He requested clarification as to whether or not the Chair had presented a proposal to the applicant.

Chairman Kee reiterated that he had been contacted by the applicant to possibly provide architectural services. A proposal had been presented to the applicant but another party had been selected. He emphasized that was the reason why he had indicated that he would administer the public hearing but would not vote on the application.

Mr. Harris reiterated the concerns previously expressed. He too commented on the 300 foot notification process. He agreed that the notification area should be expanded since there were additional properties that could be impacted and should be so notified. He commented that years ago, St. Vincent de Paul had proposed a similar project, with little notification to the public.

Mr. Harris opposed the approval of the request for a density bonus and suggested that the property was not an appropriate location for the project due to the proximity of the railroad and the existing traffic circulation and traffic conditions. He also disagreed with the installation of a sound wall, which would not be compatible to the surrounding neighborhood and which could cause sound impacts to adjacent residents. If any further information was available regarding the project, he urged the City to notify and provide copies of such information to all residents of the Central Addition.

TOM LEWIS, a resident of Hawthorne Lane, Pittsburg, also expressed concern with the staff recommendation for the approval of the project without certain information that the Commission had requested at a previous hearing. He also commented on the neighborhood meeting that had been notified to the public but where the public was unable to access given that the doors to City Hall had been locked.

Mr. Lewis referenced existing apartment complexes in the area, all of which caused problems to the surrounding neighborhoods. Not suggesting that the proposed project would cause the same impacts, he expressed concern with the proposal and commented that the City did not need more low income apartment complexes. He suggested that the City had done more than its fair share to accommodate low income persons in that the City had more Section 8 housing and had done more than any other City in the County.
Mr. Lewis stated that he had been the lone individual who had been able to access the Council Chambers to attend the neighborhood meeting. He described the subject property as a nice parcel of land. He suggested that the City needed to take the advice and direction of Alameda County, which had developed a rail transit system. He commented on a presentation he had given to the Council some time ago regarding his recommendation that the parcel of land be considered for the creation of a transit rail hub that could provide a commuter train from Tracy to Oakland.

Mr. Lewis suggested that any residential development in the area should be integrated with the charm and grace of the Central Addition through home ownership. He described the project being proposed as too dense.

Mr. Lewis otherwise recommended consideration of upscale townhomes or homes similar to those that had been developed near the river. He urged the Commission to defer any action on the project at this time in that the Commission had insufficient information to take any action. If approved, he advised that he would appeal such action to the City Council.

Chairman Kee stated for the record that as indicated in the staff report, staff had based the staff recommendation for approval on the Planning Commission's prior indication of approval of the project during the initial study stage.

CHARLES SMITH, a resident of Pittsburg, suggested that the project should not be characterized as low income housing since individuals with an income of $33,000 were not considered low income. As to the recommendation for the consideration of a transportation hub in the area, he expressed concern that such a development would result in a tremendous amount of sound impacts. He pointed out that sound did not have to be mitigated by sound walls and could be mitigated through the use of berms, trees, grasses and the like. He agreed that the developer would need to meet with staff and the neighborhood to address a number of the concerns expressed prior to any action on the project.

PUBLIC HEARING CLOSED

Commissioner Tumbaga made a motion to continue the public hearing to the Planning Commission meeting of March 27, 2001.

Commissioner Valentine preferred that the application be continued to a regular meeting scheduled for April 10, 2001. He suggested that there was no rush to act on the application.

MOTION:

Motion by Commissioner Tumbaga to continue UP-00-14, a use permit for Pittsburg Family Apartments at 390 Central Avenue to the meeting of March 27, 2001.
The motion was seconded by Commissioner Holmes and carried by the following vote:

Ayes: Commissioners Holmes, Kelley, Tumbaga,
Noes: Commissioners Glynn, Valentine
Abstain: Chairman Kee
Absent: Commissioner Leonard

MOTION:

Motion by Commissioner Tumbaga to continue DR-00-28, design review of the Pittsburg Family Apartments at 390 Central Avenue to the meeting of March 27, 2001. The motion was seconded by Commissioner Holmes and carried by the following vote:

Ayes: Commissioners Holmes, Kelley, Tumbaga
Noes: Commissioners Glynn, Valentine
Abstain: Chairman Kee
Absent: Commissioner Leonard

ITEM 4: Garden Plus Above Ground Tank. UP-00-15.
Application by Sean McCauley of Garden Plus Company requesting a use permit to construct an above ground fuel tank at 2695 East Leland Road, CS (Service Commercial) zone; APN 088-152-001.

Assistant Planner Chris Bekiaris presented the request for a use permit to install a 1,500 gallon above ground fuel tank at 2695 East Leland Road to service the fleet of trucks used by the company. The storage of above ground fuel tanks would require the approval of a use permit. He commented that the Contra Costa Consolidated Fire District had to go through the same process with the construction of Station No. 87.

The tank required the approval of the Fire District and of the Building Division. Any safety measures would be resolved through that process.

Mr. Bekiaris recommended that the Planning Commission adopt Resolution No. 9186, approving UP-00-15, with the conditions as shown.

PROPOUNENTS:

SEAN McCaULEY, 2695 East Leland Road, Pittsburg, advised that he had read the conditions of approval and was in agreement with those conditions.

Commissioner Valentine requested a provision in the conditions that at such time as the business was discontinued the above ground fuel tank and anything attached to the structure shall be immediately dismantled.
Mr. McCauley stated that he was not opposed to such a condition.

Commissioner Tumbaga inquired what would occur if a similar business desired to use the tenant space in the event that the current applicant ceased business. She expressed concern with a similar business having to start all over again, particularly if they utilized a similar piece of equipment.

Commissioner Valentine stated that he would stand by his recommendation since there were many projects in the City that had not been carried out. If a subsequent business were to apply to the City for a use permit to use the same equipment, he would agree that the structure should remain. He suggested the chance of a similar business coming in was unlikely. He requested a condition that would be worded in such a way that the structure be removed in a timely fashion when the business ceased operation.

Mr. Bekiaris suggested that if the above ground fuel tank was not used for a specific period of time, such as 60 or 90 days, it could be removed after that time.

Commissioner Glynn commented that if a successor business purchased the company and facilities, the above ground fuel tank would probably have to be recertified and reexamined for use due to a change in ownership. He otherwise agreed with the stipulation of some sort of timeframe to indicate the removal of the above ground fuel tank in the event the subject business was discontinued.

Mr. Bekiaris explained that the Zoning Ordinance stipulated that a use abandoned for a period of six months would become null and void. If a similar use were to go onto the property, the new applicant would have to apply for a new use permit. That might allow sufficient time for the removal of the tank.

Commissioner Holmes inquired whether or not the fuel tank would be enclosed by a fence, to which Mr. McCauley advised that there would be bollards placed around the tank. No fencing had been proposed.

Mr. McCauley noted that the tank did include an electronic cut off that would go into effect every evening so that no pumping could occur after business hours. The pump would be locked and shut off in the evening as well.

In response to Commissioner Tumbaga, Mr. McCauley acknowledged that the tank could be accessible if someone wanted to get to it, although the tank would be protected by the bollards. The bollards would be placed three feet in the ground and be three feet in height. The tank would be designed to withstand gun shots and other types of abuse and would be difficult to damage.

Chairman Kee inquired how often the tank would be filled. He also expressed concern with the proximity of the tank to the building since there were windows on that end of the building.

Mr. McCauley advised that the tank would be filled approximately three times a month. He noted
that the placement of the tank had received clearance from the Fire District, with the hose prohibited from being within 20 feet of any opening.

Chairman Kee commented that he would be more comfortable if the tank were located on the north side of the property towards the property line and the fencing adjacent to the freeway.

Mr. McCauley advised that originally the tank had been located near an existing propane tank, but there had been an underground fuel tank placed in that location. As a result, it was situated near the existing concrete pad on the property.

JOHN GARCIA, a resident of Pittsburg, questioned how far away the tank would be to the freeway since the freeway could be widened at some point in time affecting a portion of the rear end of the property. He expressed concern with the tank being moved again. He also understood that a fire wall would be required if the tank was placed so close to a building.

Mr. Bekiaris explained that the regulations were controlled by the Fire District, which would approve the tank. The District would require compliance with all safety measures.

CHARLES SMITH, a resident of Pittsburg, understood that the tank would have to withstand a ballistics test of a bullet going through two inches of steel. He also understood that all above ground storage tanks were required to consist of double walled steel tanks. He suggested that a small picket fence could be installed around the tank to prevent vandalism.

Commissioner Glynn made a motion to approve the staff recommendation. Commissioner Tumbaga seconded the motion.

Commissioner Valentine requested that the motion be amended to include a requirement that the tank be removed within six months of the cessation of the business.

Commissioner Glynn amended the motion as proposed.

MOTION:

Motion by Commissioner Glynn to adopt Resolution No. 9186, approving UP-00-15, a use permit for an above ground fuel tank at 2695 East Leland Road for "Garden Plus Company", with the conditions as shown and with the additional condition to require removal of the tank within six months of the cessation of the business. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

Ayes: Commissioners Glynn, Holmes, Kelley, Tumbaga, Valentine, Kee
Noes: None
Abstain: None
Absent: Commissioner Leonard
**COMMITTEE APPOINTMENT:**

**Appointment of Planning Commission Member to the Senior Center Focus Group**

Community Development Director Nasser Shirazi explained that the Planning Commission had been asked to appoint a representative to the Senior Center Focus Group, to be formed to recommend activity programs for the new Senior Center proposed to be built in Presidio Park on Harbor Street. The group would include a dozen and a half community leaders and senior members who would provide input to the Senior Center's architect for guidance in designing the building.

Commissioner Valentine expressed the willingness to serve as the primary representative to the Senior Center Focus Group.

Mr. Shirazi advised that the first meeting had been scheduled for Wednesday, January 24, 2001, at 4:00 P.M. in the Council Chambers. The meeting schedule would be provided when available.

Commissioner Valentine noted that he would be unable to attend the first meeting.

Commissioner Kelley expressed the willingness to serve as the Alternate representative. Since Commissioner Valentine would be unable to attend the first meeting, she expressed the willingness to attend the meeting scheduled for January 24.

Mr. Shirazi also reported that a Contra Costa Transportation Authority (CCTA) meeting had been scheduled for Tuesday, January 30, 2001, at 6:30 P.M. in the Council Chambers to discuss options for metering of City streets. Three options would be considered, including Nortonville Road at Kirker Pass Road, Castlewood Drive and Meadows Lane.

**STAFF COMMUNICATION:**

**USS POSCO Substation No. 2 Replacement**

Mr. Jerome reported that USS POSCO had replaced an existing electrical transformer substation to prepare USS POSCO to utilize some of the power generated by the new Los Medanos Energy facility. Since the replaced substation was located towards the river side of the property and was not noticeable to the public, the application had been approved administratively by staff, pursuant to staff's policy not to require formal design review approval for industrial plant facilities.

**Planners Institute**

Mr. Jerome also advised that the Planners Institute scheduled for March 21 to 23 would be located in the City of Monterey. Commissioners were encouraged to contact secretarial staff to identify their interest in attending the conference.

**Statement of Economic Interest - Annual Filing**
Mr. Jerome advised that the Statements of Economic Interest were due to be returned to the City by March 19, 2001.

Speaking to the Pittsburg Family Apartments application, Mr. Jerome reclarified that staff had no knowledge of the neighborhood meeting that had been held in the Council Chambers on January 18. He commented that he had later learned that the applicant had made arrangements with the City Manager's Office to use the room and that no staff had been present to let anyone into the building. He was also unaware how residents had been notified of the meeting.

Mr. Jerome emphasized that the intent of the previous discussion with the Planning Commission had been to receive input from the Commission. The applicant had also been encouraged by staff to hold a neighborhood meeting. Speaking to the issues that had been raised by a number of people, he noted that most of the issues would have been covered by the staff-recommended conditions of approval for the project.

Mr. Jerome commented that the City had reviewed the traffic conditions and had found that there were no real traffic issues since only a right turn out of the project on Solari St. would be viable. There was no warrant for a traffic signal on Central Avenue since the roadway was wide and the traffic volumes were low. The project could generate, at the most, 60 trips during the peak hour.

As to the noise issues, Mr. Jerome agreed that the placement of a sound wall could result in sound being bounced off. Pursuant to the Zoning Ordinance, a non residential use abutting a residential use required an eight foot high masonry wall. The problem was not as much a sound issue as a buffering issue between a non-residential next to a residential use. He commented that from a site planning point of view, the project worked very well.

Mr. Jerome also recognized the concerns that had been expressed with the rent structure, but noted that such issues would have to be worked out with the City Council to ensure that the rents were within the stated criteria. He too expressed concern with the rent structure being close to market rate while the applicant was requesting a density bonus from the City.

Commissioners and staff discussed in detail the concerns expressed during the public hearing.

Mr. Jerome further commented that the staff recommendation had been based on the previous discussion of the Planning Commission and since the project met City zoning and complied with the State mandates. Fundamentally, staff was opposed to the project since it was too dense for the subject location. From a planning perspective, staff had always envisioned the property to be a lower density transitional area, with the intent to preserve the Central Addition neighborhood with uses that would reflect and enhance the neighborhood, particularly since Central Avenue was one of the major entrances to the Central Addition.

In response to Commissioner Glynn as to whether or not a denial of the density bonus would allow
56 units to fit on the site within a single story building, Mr. Jerome explained that a two story structure would probably still be necessary.

Commissioner Glynn otherwise disagreed with the staff assessment that there was no traffic hazard on Central Avenue. He reiterated his previous comments and concerns with the traffic circulation in the area.

**GENERAL PLAN UPDATED REPORT:**

**Distribution of Draft General Plan**

Assistant Planner Avan Gangapuram presented copies of the Draft General Plan and the Draft EIR to the Commission. He explained that over three years ago the General Plan Update process had begun with a General Plan Consultant having been hired to assist in the process and to facilitate numerous meetings with the public, stakeholders, other City departments, other cities, and City committees, commissions and the City Council.

As part of the process, an existing conditions report and sketch plans had been prepared with three different alternates. A Preferred Plan was prepared based on the three Alternates.

Speaking to the Eighth Street Corridor Parking Plan in response to Commissioner Glynn, Mr. Gangapuram explained that the Downtown and Urban Design Elements of the General Plan would address that issue.

Mr. Jerome advised that the Eighth Street Corridor Parking Plan was complete. A meeting would be held within the next week with staff. Staff would also be meeting with representatives of Calpine to determine who would bear the costs of the plan. A public workshop would be held soon to discuss the planned design, parking locations and a possible landscape plan.

Mr. Gangapuram explained that the documents presented to the Commission would be available for public review as of Wednesday, January 24, 2001, with copies available to be viewed in the City Library. The entire Draft General Plan was also anticipated to be placed on the City's webpage. A public hearing had been scheduled before the Planning Commission on February 13, 2001, to discuss the Draft EIR and to receive oral and written testimony on the accuracy and completeness of the draft document. Comments would be forwarded to the consultant who would evaluate the comments and determine compliance with CEQA regulations. The comment period on the Draft EIR would end on March 13, 2001, consistent with the 45-day comment period stipulated by the State.

A General Plan public hearing had been tentatively scheduled for February 27, 2001. The General Plan consultant would be present during that meeting and the Commission would then discuss the General Plan policies.

Once the Planning Commission was satisfied with the General Plan policies, they would be
forwarded to the City Council with a recommendation to the City Council to adopt the General Plan and to Certify the EIR.

In response to Commissioner Tumbaga, Mr. Gangapuram affirmed that according to State law, the General Plan was to be revisited every year to determine the adequacy of the document. Every five years, the General Plan was required to be evaluated to determine whether or not it was applicable to existing conditions. If not, policies would either be added or deleted as necessary. Typically the General Plan had a life span of 20 years.

The Commission discussed scheduling a possible workshop or special meeting to discuss the Commission's comments on the General Plan in detail. Commissioners were encouraged to contact staff with available meeting dates so that a workshop or special meeting could be scheduled. Commissioner Tumbaga requested the consideration of a tote bag for the Planning Commission in order to carry all of the documentation involved in the review of the General Plan and Draft EIR documents.

**ZONING ADMINISTRATOR REPORT**

Mr. Jerome advised that the next Zoning Administrator meeting scheduled for February 13, 2001 would include the following items: Bustamante Fence Exception (ZA-00-12); San Marco Powerline Setback Variance (VA-01-01); and Srigura Ravidass Sabha Fence Exception (ZA-01-01).

Mr. Jerome clarified that the San Marco Powerline Setback variance involved a condition in the Planned Development zoning that required a 100 foot setback for any building from the center line of a power line. He noted that some of the models on one street were quite large and there was insufficient setback for the bulk of the model. As a result, some of the buildings could encroach within the required setback, necessitating the request for a variance.

Commissioner Valentine requested that the San Marco Powerline Setback variance request be brought to the Planning Commission for consideration. He questioned the fact that the developer had initially accepted the conditions of approval for the project and that the homes now did not fit the lots. He questioned allowing the developer to change the rules midway through the process and inquired why the developer had not designed the home to fit the lot in compliance with the required conditions.

Mr. Jerome commented that in 1992 the developer had envisioned smaller homes than the larger models now being proposed. The same condition had been in effect in 1992 and had been applied to the current development. If the variance were not approved, it could result in a much smaller home on the lots.

In response to Commissioner Glynn, Mr. Jerome explained that the adjustment was front to back with the rear yard facing the power lines.

Commissioner Valentine reiterated his request that the matter be submitted to the Planning
Commissioner Tumbaga stated that she was comfortable having the application heard and acted upon by the Zoning Administrator.

Mr. Jerome noted that any action of the Zoning Administrator could be appealed by the Planning Commission or any interested party.

Commissioners Glynn, Holmes, Kelley and Chair Kee had no opposition to the Commission's consideration of the application.

By a consensus of the majority of the Commission present, the request for a variance for San Marco Powerline Setback Variance, VA-01-01, would be scheduled for the Planning Commission meeting of February 13, 2001.

COMMITTEE REPORTS:

Commissioner Holmes reported that the Traffic and Circulation Committee had met and had discussed the installation of Class Two bicycle lanes. The first phase would commence at Stoneman Street to School Street. The committee had discussed funding options for bicycle lanes from School Street to Third Street. A meeting with the public was anticipated to discuss the Bicycle Lane Program. Committee bylaws and the meeting schedule had also been discussed.

Commissioner Glynn advised that TRANSPLAN had met and had discussed Senator Tom Torlakson's proposal to establish three different transportation committees comprised of elected officials, appointed individuals, and citizens from specific areas to address State Route 4, I-680 and I-580 in the City of Livermore. The intent had been to coordinate all of the committees to work together and approach the problem of transportation from a regional concept. He advised that he had volunteered to serve on all three of those committees, when established.

COMMENTS FROM COMMISSIONERS:

Commissioner Glynn also commented that he had been approached by a couple of Councilmembers with the purpose of establishing a Foreign Trade Zone Subcommittee. He requested that an appointment from the Planning Commission to serve on the subcommittee be agendized for the next meeting. He took the opportunity to volunteer to serve on the subcommittee once approved. An alternate would also have to be selected.

Commissioner Glynn further advised that he had recently spoken with the City Manager during which time he had requested the consideration of funds to provide business cards for City commissions and committees. The City Manager had directed him to bring the matter up with the Commission. He otherwise advised that he would attend the Planners Institute, as would
Commissioner Leonard. Commissioners agreed with the need for the Commission to have business cards, particularly prior to the Planners Institute.

Speaking to the concerns expressed during the previous meeting, Mr. Jerome reported that the Atlantic Avenue Apartment Complex was in compliance with the required 15 foot setback. He otherwise noted that Code Enforcement had been informed of vehicles posted for sale on California Avenue and Harbor Street.

The Business License Review Committee would be picking up again and staff would follow up on the status of that Committee's efforts.

Mr. Jerome also advised that Code Enforcement Officer Commander Bill Hendricks had expressed the willingness to provide a status report on code enforcement issues either on a semi-annual or quarterly basis, or as directed.

Additionally, Mr. Jerome reported that the downtown Request for Proposals (RFP) were ongoing. A public workshop would be held soon to discuss the Eighth Street Corridor Parking Plan. Further, the Harbor Street off-ramp guard rail had been repaired.

Commissioner Valentine expressed appreciation to staff for the removal of the basketball court in front of his property on San Remo Court. He also requested that another basketball court located in front of 2232 San Remo Way be removed. He emphasized the need for the City to resolve the situation involving the Stroup property, which had not moved for the past six years.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 11:12 P.M. to a Regular Meeting of the Planning Commission on February 13, 2001 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

RANDY JEROME, Secretary
Pittsburg Planning Commission

January 23, 2001