A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Holmes at 7:32 P.M. on Tuesday, June 11, 2002, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

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

Absent: Commissioner Ramirez (Excused)

Staff: Director of Planning and Building Randy Jerome; Assistant Planner Dana Hoggatt; Planning Technician Christopher Barton; Planning Intern Gary Hsueh; and Civil Engineer II, Alfredo Hurtado.

POSTING OF AGENDA:

Chairperson Holmes advised that the agenda had been posted at City Hall on Friday, June 7, 2002.

PLEDGE OF ALLEGIANCE:

Chairperson Holmes led the Pledge of Allegiance.

Mr. Jerome reported for the record that Commissioner Ramirez was absent since he had injured himself in a fall and was unable to attend the meeting.

MINUTES: May 28, 2002

MOTION:

Motion by Commissioner Garcia to approve the minutes of the May 28, 2002 meeting, as submitted.

The motion was seconded by Commissioner Harris and carried by the following vote:
Ayes: Commissioners Garcia, Glynn, Harris, Kelley, Leonard, Holmes
Noes: None
Abstain: None
Absent: Commissioner Ramirez

DELETIONS/WITHDRAWALS:

Mr. Jerome reported that the applicant for agenda Item No. 2, Palace Lounge, had submitted written correspondence to staff requesting a withdrawal of the application at this time.

COMMENTS FROM AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

There were no presentations.

COMMISSION CONSIDERATION:

**Item 1: Loveridge Center (Mill Creek) Pylon Sign. DR-02-05.**

Application by John Tomasello of Mill Creek Development, LLC, requesting design review approval and a sign exception for height, sign area, and off-site location for a freestanding pylon sign identifying a six-lot commercial subdivision located north of California Avenue and west of Loveridge Road, CS-O (Service Commercial with a Limited Overlay) zone; APN 073-190-017. (Continued from May 28, 2002).

Assistant Planner Dana Hoggatt presented the request from John Tomasello of Mill Creek Development, LLC, requesting design review approval and a sign exception for height, sign area, and off-site location for a freestanding pylon sign identifying a six-lot commercial subdivision located north of California Avenue and west of Loveridge Road, in a CS-O (Service Commercial with a Limited Overlay) zoning district.

Ms. Hoggatt explained that the application had originally been presented to the Planning Commission on May 14 but had been continued since that time to allow staff, the developer and tenants to work on design modifications to the sign. The sign would identify the Loveridge Center (Mill Creek Development) located between Martin Luther King School and Praxair on California Avenue.

The proposed sign would measure 80 feet in height from grade and would be 42 feet in width. The sign would include a total of five cabinets, one for each of the tenants, and would front California Avenue. The tenants would include Extended Stay America, Jack in the Box, Chevron and an unidentified food service and a self-storage facility. Four of the
The Planning Commission had previously requested that staff contact the Contra Costa Transportation Authority (CCTA) to obtain more information on the future transit improvements proposed along State Route 4 (SR4). Staff had learned that two of the options could affect the Loveridge Center, such as the proposal to extend BART down the median of SR4 from Bay Point to Hillcrest Avenue in the City of Antioch. That option would not significantly impact the proposed sign since the BART tracks would be located at the same grade as the freeway and would be generally on the same plane.

The second alternative under consideration would construct an overpass from the median of SR4 to the Union Pacific railroad tracks located north of North Park Plaza. The overpass would be approximately 60 feet from grade. The CCTA was still considering both options and neither option had been chosen at this time. No selection would be made until the end of the summer.

Ms. Hoggatt advised that the sign would be exempt from the regulations of the California Environmental Quality Act (CEQA), Class 11, Accessory Structure.

Ms. Hoggatt recommended that the Planning Commission adopt Resolution No. 9324, approving DR-02-05 with the conditions as shown.
Commissioner Glynn inquired of the earliest scheduled completion date for all of the site improvements for the project. Given that the project had yet to commence construction, he questioned the need to move on the approval of the sign at this time.

Ms. Hoggatt understood that the applicants had already submitted applications for grading and that they planned to start construction by the end of the summer.

PROONENT:

JOHN TOMASELLO, Mill Creek Development, LLC, 52 Madrid Place, Suite 800, San Ramon, advised that they preferred one sign over multiple signs for the aesthetic quality and to avoid clutter along the freeway. He reported that they also planned to start construction on July 1 or as soon as possible. All off site plans for grading permits had been submitted to staff. The desire to have the sign approved at this time related to the fact that the sign had been a condition of tenancy and the tenants proposed for the site would not proceed without that approval. He noted that the tenants had a limited amount of time in their contracts.

As to the concerns for BART, Mr. Tomasello stated that he was aware that the CCTA was considering two alternatives and that either alternative could be a minimum of ten years distant. He also understood that the CCTA had no funding for either alternative at this time. As such, it was speculation. He emphasized the need to move forward with the development and expressed a willingness to deal with the CCTA’s plans at such time as those plans became a reality.

Commissioner Glynn commented that as a City member of the TRANSPLAN Committee he was aware that a decision on the proposed BART alternatives was forthcoming and was likely to be made no later than a year's time. As to when either option would be built, he acknowledged that would be a function of funding. He added that if the overpass concept was adopted for connectivity to the Union Pacific railroad line it would have some impact on the visibility of the sign and its stated intent.

Commissioner Glynn questioned whether or not an 80-foot tall sign would be sufficient since the overpass concept would probably take in at least 40 feet. He questioned putting monies into the sign at this time prior to the CCTA's selection of the options. He did not recognize the urgent need to have the sign constructed at this time unless it was part of the terms and conditions of approval by the proposed tenants of the property.

Mr. Tomasello reiterated that the sign was a term and condition of the tenants' willingness to move forward with the project. If the CCTA's decision were to impact the sign, he stated that he would defer the construction of the sign and consider the possibility that the sign would have to be relocated to another site. Since a decision was unknown at this time, he reiterated the need to move forward pursuant to the terms and conditions of the tenant contracts.
Commissioner Glynn suggested that the sign would not have to be higher than the initial 80-foot proposal and could be reduced a bit, although if the foundation was similar for the worst case condition of 80 feet he could support the sign. He explained that he was making the point that the overpass option was being highly considered for easy connectivity to the median and to provide a connection from eBART to the standard BART services without impacting the median strip.

Commissioner Garcia commented that he was not concerned with the CCTA’s future plans since the City would have an opportunity to comment in that regard and since the project might have to commence in the City of Antioch with the grade to reach the 60 foot height to get over the freeway. If that option were ultimately chosen, it would involve the acquisition of property that was already developed.

OPPONENTS: None

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9324, approving DR-02-05, Design Review approval and a sign exception for a freestanding pylon sign for "Loveridge Center," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

CONTINUED PUBLIC HEARING:

Item 2: Palace Lounge. UP-02-06 and RZ-02-06.
Application by Lonell Noel requesting approval of a rezoning of 0.4 acres to CC-O (Community Commercial with a Limited Overlay) and a use permit to allow a tavern including full alcohol service with appetizers and live entertainment in a 3,500 square foot space in an existing building located at 985 Railroad Avenue; APN -85-195-007.

Mr. Jerome reiterated that as earlier reported the applicant had submitted written correspondence withdrawing the application at this time.

Mr. Jerome also acknowledged correspondence dated June 10, 2002, received this date from the Community Advisory Commission (CAC) in opposition to the application.
PUBLIC HEARINGS:

Item 3: Pittsburg Winnelson Company. UP-02-08.
Application by Jim Moore of Pittsburg Winnelson Company requesting a use permit to allow Wholesaling and Storage with Exterior Storage of pipe and plumbing supplies on a 1.15 acre parcel with an existing 14,000 square foot building located at 691 Garcia Avenue, IP (Industrial Park) zone; APN 088-391-006.

Planning Intern Gary Hsueh presented the request from Jim Moore of Pittsburg Winnelson Company requesting a use permit to allow Wholesaling and Storage with Exterior Storage of pipe and plumbing supplies on a 1.15 acre parcel with an existing 14,000 square foot building located at 691 Garcia Avenue, in an Industrial Park zoning district.

Mr. Hsueh reported that the business had been operating without a use permit since January 2002. The request for a use permit would allow the applicant to continue the use. The business consisted of a plumbing wholesaler with most of the items to be stored to be located inside the 14,000 square foot building. Remaining supplies, primarily pipe, would be stored outside in the existing exterior storage area, which was fenced with a slatted chain link fence and with barbed wire on top. This area currently totaled 10,400 square feet and was not being proposed to be expanded in any way.

The use permit would be required as part of the Industrial Park zoning district to allow Wholesaling and Storage with exterior storage use. The use was consistent with the Zoning Ordinance and General Plan, which had designated the site as a Business Commercial site. Among other uses, Business Commercial was intended to provide sites for warehousing and distribution purposes.

Mr. Hsueh reported that staff had received correspondence dated received June 10, 2002, from Uniworld, an adjacent business to the subject site, which had raised some issues with the application. In response to some of those concerns, he clarified that the use permit had been intended to provide a site for the existing building and existing exterior storage area which had already been fenced and screened.

Mr. Hsueh recommended that the Planning Commission adopt Resolution No. 9334, approving UP-02-08, with the conditions as shown.

In response to the Chair as to how the applicant happened to come forth given that the business had been operating for the past five months without an approved use permit, Mr. Hsueh explained that the business owner had also applied for a business license which had brought the matter to the attention of staff.

PUBLIC HEARING OPENED

PROPONENT:

June 11, 2002
JIM MOORE, 494 Anvilwood Drive, Oakley, stated that he was in agreement with the conditions of approval as indicated in the staff report. He affirmed, when asked, that he had been in business since January 2002 and that when the business had opened, he had applied for a business license. He had previously been unaware of the requirement to apply for a use permit. Sometime after he had called the City to learn the status of his business license application, he had been apprised by planning staff of the need to immediately apply for a use permit.

OPPONENTS: None

MOTION:

Motion by Commissioner Harris to adopt Resolution No. 9334, approving UP-02-08, a Use Permit to allow Wholesaling and Storage with Exterior Storage at 691 Garcia Avenue for "Pittsburg Winnelson Company," with the conditions as shown. The motion was seconded by Commissioner Glynn and carried by the following vote:

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

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 10 calendar days of the decision.

Item 4: Latter-Day Saints Meetinghouse, UP-02-09 and DR-02-08.

Application by NMR Architects requesting approval of a use permit to allow Religious Assembly and design review approval of landscaping, site development, and architectural plans to construct a 24,460 square foot religious assembly facility on an undeveloped 4.91-acre site located at 3100 Harbor Street, CC (Community Commercial) zone; APN 088-121-027.

Planning Technician Christopher Barton presented the request from NMR Architects requesting approval of a use permit to allow Religious Assembly and to include design review approval of landscaping, site development, and architectural plans to construct a 24,460 square foot religious assembly facility on an undeveloped 4.91-acre site located at 3100 Harbor Street, in a Community Commercial zoning district between Atlantic Plaza and Good Shepard Church fronting Harbor Street.

The meetinghouse would allow two to three wards in the area to share the facility on Sundays for two to three hour meetings. The facility would also be used on a limited basis during the week. The size of the facility would be 24,460 square feet with an accessory
storage building of 168 square feet and a covered trash enclosure. Two small signs, 3 by 5 feet in size, would front Harbor Street.

The existing General Plan designation for the site was Community Commercial, although the new General Plan land use designation would be Medium Density Residential. Both land use designations would permit Religious Assembly with an approved use permit.

Mr. Barton stated that as conditioned with an exception to the building height, the project was consistent with the Pittsburg Municipal Code regulations pertaining to parking, lot coverage, lot area, width, side and rear yards and landscaping. The ridgeline of the proposed building was approximately 32 feet in height with a proposed 36-foot tall steeple on top, for a total height of 68 feet. The City's Zoning Code allowed a height of 35 feet with an additional 20 feet for a steeple or spire feature for a total of 55 feet. He recommended that the height of the ridgeline be reduced to 55 feet to meet the City code.

The proposed landscaping had been reviewed by the City's Park Planner who was in agreement with the plans, although staff had recommended that the trees along the frontage and some of the entrances be increased in size. It had also been recommended that every tree removed along Harbor Street be replaced with a 24-inch box tree.

Mr. Barton stated that the project also required a Negative Declaration in response to problems with stormwater on the site. Staff was working with the applicant on a design to address that problem. He recommended that the Planning Commission adopt Resolution No. 9332 approving UP-02-08, and Resolution No. 9333 approving DR-02-08, with the conditions as shown.

Commissioner Glynn commented that nothing had been addressed regarding traffic mitigation as a result of the situation where two churches were contiguous to each other. He questioned whether or not staff had reviewed that situation.

Mr. Barton explained that he had spoken with the City's Traffic Engineer to determine whether or not a Traffic Study would be warranted for the project. The Traffic Engineer had indicated that due to the peak hour and nature of the use, a Traffic Study would not be required in this case.

In response to Commissioner Kelley as to whether or not the project would have more than one driveway for in/out access, Mr. Barton advised that there would be two driveways located on southbound Harbor Street, and that northbound Harbor Street traffic will have access to the site with a U-turn to southbound Harbor Street.

Commissioner Glynn identified the southern drive exit onto Harbor Street, which was a right turn only. He verified with Mr. Barton that there is a break in the median on northbound Harbor Street for U-turn access to southbound Harbor Street.
Commissioner Garcia understood that based on the review of the drawings, staff had recommended against cutting the stacking lane that traveled north to prevent turning movements directly into the church parking lot.

Mr. Barton affirmed that the Traffic Engineer had reviewed that possibility and had determined that if the stacking lane were cut back there would be turning conflicts. Currently the traffic movement was designed to allow trucks to access FoodCo. The Traffic Engineer had determined that there would be too many turning conflicts if the traffic configuration were modified and it would be better to leave it as is. If a left turn were provided, it would also have to be done as a U-turn.

Commissioner Glynn referenced southbound traffic that would turn into the church south on Harbor Street, which would have to travel to the corner of Leland Road. He inquired whether or not that was an authorized U-turn at the traffic signal at Atlantic Avenue, and Mr. Barton affirmed that there was an authorized U-turn at the traffic signal and there was also a cut out before the stoplight itself.

PUBLIC HEARING OPENED

PROONENT:

DOUGLAS SPOHN, NMR Architects, 5330 Primrose Drive, Suite 248, Fair Oaks, advised that he was in agreement with the staff recommended conditions of approval.

INTERESTED SPEAKER:

FRANK LOMBARDO, Building and Grounds Supervisor, Church of the Good Shepherd, explained that he had seen the rendering of the proposed church facility. He expressed concern with the location of the trash enclosure, which would be placed near the Good Shepherd ministry building. He noted that they experienced a predominant wind out of the west, which would blow whatever was in the trash containers across their building. As such, he inquired whether or not the trash enclosure could be relocated to the north side of the site.

Mr. Spohn explained that he had no problem relocating the trash enclosure. He noted that there would be some fill that would occur on the other side of their building to level out the property and to provide the water quality mitigation allowing for drainage through the landscaped areas on that side of the parcel.

Mr. Lombardo also commented that he had spoken with Mark Hawkes in 1999 and had discussed problems Good Shepherd had experienced with people accessing the subject property and people who had been camping behind the Good Shepherd Church. At that time he had requested the installation of a fence upon the sale of the subject property. In reviewing the contracts, he found that a fence could not be installed until construction had commenced. He inquired whether or not Mr. Spohn was aware of that situation.
Mr. Spohn stated that he was unaware of that situation, although a six-foot masonry fence had been proposed to be constructed along the property line bordering the adjacent shopping center. As to the other side of the property, an existing fence had been installed that was a combination of a metal decorative fence with CMU pilasters occasionally along that length. The intention had been to reinstall the fence three quarters of the way back with the last portion of the property intentionally to be left undeveloped since staff had also recommended that portion be left available for future parking if it were to become necessary due to the nature of the use.

Mr. Lombardo requested that the applicant speak to Mr. Hawkes and have him check his contracts since he understood that a six foot masonry fence would be constructed totally across the property all the way to the back.

Mr. Spohn advised that he would be in agreement with that recommendation.

Mr. Lombardo went on to comment that when the patrons of Good Shepard Church exited the main driveway there was a Right Turn Only sign. Directly across from that was a turnaround and he noted that if the subject property had group meetings on a Sunday and Good Shepard also had mass on Sundays there would be significant traffic in the area at the same time. He expressed concern with the amount of traffic attempting to make a U-turn in front of the one opening, which could create a potential for conflict.

Mr. Lombardo questioned how that could be resolved and inquired whether or not a No U-turn sign could be placed at the turnaround forcing traffic to go towards the traffic signal at Stoneman Avenue where a U-turn could be made.

Mr. Spohn commented that the schedules would vary at their meetinghouse with the times of the meetings to change. He understood the intention that both driveways for the subject property and the Good Shepherd church would have a Right Turn Only exit.

Mr. Jerome affirmed that staff had been concerned with traffic on Harbor Street, which had been an issue with the Good Shepard church several months ago. That same emphasis was to be placed on the subject proposal to make both exits from the churches right turn only.

Commissioner Harris commented that prohibiting traffic from making a U-turn at the first turnaround would be difficult. He otherwise acknowledged that the traffic situation could be a concern if both churches held services at the same time. He suggested that the proposed building be built first to allow the traffic configuration to work. If traffic problems were to arise, the Traffic Circulation Advisory Committee could consider the situation.

Commissioner Harris otherwise noted that the applicant had not provided a colored rendering of the proposal. He inquired whether or not that could be provided by the applicant with a sample of the colors and materials proposed to be used.
Mr. Spohn advised that a colored rendering had not been prepared since it had not been required by staff. He clarified that the exterior of the building would be brick. He expressed the willingness to provide the sample colors and material information to staff.

Mr. Barton acknowledged that for many projects staff required a colors and material board although that had not been requested for the subject project.

Commissioner Harris requested for this and all future projects that a sample colors and material board be provided by project applicants.

Mr. Spohn advised that the building colors would consist of muted and natural tones. In addition, the roofing materials would consist of concrete tile in weathered wood blend, a brown gray tone. The brick to be used on the exterior would be a dusty brown tone identified as canyon rose and would not be a red brick tone. The building elevations, as provided to staff, had identified the schedule of building materials.

OPPONENTS: None

MOTION: **UP-02-09**

Motion by Commissioner Harris to adopt Resolution No. 9332, approving UP-02-09, a Use Permit to allow Religious Assembly at 3100 Harbor Street for "Latter-Day Saints Meetinghouse," with the conditions as shown. The motion was seconded by Commissioner Kelley and carried by the following vote:

- **Ayes:** Commissioners Garcia, Glynn, Harris, Kelley, Leonard, Holmes
- **Noes:** None
- **Abstain:** None
- **Absent:** Commissioner Ramirez

MOTION: **DR-02-08**

Motion by Commissioner Harris to adopt Resolution No. 9333, approving DR-02-08, Design Review approval of architectural drawings to construct a 24,460 square foot, Religious Assembly facility at 3100 Harbor Street for "Latter-Day Saints Meetinghouse," with the conditions as shown, and subject to the following additional conditions:

- The applicant shall work with staff to relocate the trash enclosure away from the Good Shepherd Church’s property;
- The applicant shall extend the construction of a six foot high masonry wall from the eastern property line to the western property line; and
The applicant shall submit to staff sample colors and materials for staff review and approval.

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

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

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 10 calendar days of the decision.

**Item 5: Bishop Wisecarver Corporation. UP-02-11 and DR-02-10.**

Application by Pamela Kan and W. R. Wisecarver of Bishop Wisecarver requesting approval of a use permit to allow the expansion of an existing business engaged in the Limited Manufacturing of metal cabinets components, and design review approval of architectural plans for the construction of a 36,412 square foot building expansion onto 2 acres located at 2104 Martin Way, IP (Industrial Park) zone; APN 088-240-066 and a portion of APN 088-240-034.

Assistant Planner Dana Hoggatt presented the request from Pamela Kan and W. R. Wisecarver of Bishop Wisecarver requesting approval of a use permit to allow the expansion of an existing business engaged in the Limited Manufacturing of metal cabinets components, and design review approval of architectural plans for the construction of a 36,412 square foot building expansion onto 2 acres located at 2104 Martin Way, in an Industrial Park zoning district.

Ms. Hoggatt explained that the rear of the property backed up to SR4 where an existing warehouse building would be lost as a result of the SR4 Widening Project.

A vacant parcel located to the east of the existing building would remain and would be the site of the proposed expansion. The application involved an in-kind exchange of what the business would be losing for offices, warehousing and assembly.

Bishop Wisecarver has been located at 2104 Martin Way since 1968 when the business had received approval of a use permit. Since that time, the business had received subsequent approvals for use permit and design review for expansions. The business now requested approval of a use permit since use permit approvals had not included the separate parcel. The new use permit would be for the expansion of the business onto the new vacant lot.
The proposed project site was located in an industrialized area bordered by a pipe supply company and warehouse buildings. The project proposal included the development of the parcel with a 36,000 square foot building, which would include offices and warehousing. The proposal would also include landscaping and parking.

The project was consistent with both the General Plan and the Zoning Ordinance. The use had been categorized as Limited Manufacturing, a conditionally permitted use in the Industrial Park zoning district. The use was also consistent with the Business Commercial General Plan land use designation for the site, which would allow Light Manufacturing and Light Assembly uses.

The site development would also comply with the development standards of the Industrial Park zoning district in that it would not encroach setbacks, would not exceed the maximum building height, lot coverage or floor to site area ratio. The landscaping and parking would also be provided in accordance with Municipal Code requirements.

The proposed expansion would be similar to the existing building that would remain and would appear as an extension of the existing metal warehouse and similar to buildings in the Los Medanos Industrial Park. The building would also include several blue canopy features that could accent and provide detail to the entrance of the facility.

The project has been categorized as Class 32, exempt under CEQA, Infill Development, since the project involved an exchange and replacement of that which would be lost as a result of the SR4 Widening Project, and would not increase the existing business nor generate additional truck traffic. The site was also surrounded by existing uses, development and existing utilities.

Ms. Hoggatt recommended that the Planning Commission adopt Resolution No. 9335 approving UP-02-11, and Resolution No. 9336 approving DR-02-10, with the conditions as shown.

PUBLIC HEARING OPENED

PROONENTS:

PAMELA KAN, President, Bishop-Wisecarver Corporation, 2104 Martin Way, Pittsburg, clarified that the business manufactured linear guide wheels, a type of bearing and track, which was an OEM product that had been designed into machines and applications.

WARREN (BUD) WISECARVER, Bishop-Wisecarver Corporation, 2104 Martin Way, Pittsburg, clarified that the business had been located in the City since September 1962.

Mr. Wisecarver also clarified for the record that as a result of the SR4 Widening Project, they would be losing a 37,500 square foot building, which was 100 feet in width and 375 in
length. They would be adding onto the existing large plant building the exact number of square footage lost at 37,500 square feet. Their existing office would also be demolished, although they would end up with essentially the same amount of square footage. He also affirmed, when asked, that he had no objections to the staff recommended conditions of approval.

Ms. Kan acknowledged agreement with the staff recommended conditions of approval.

OPPONENTS: None

MOTION: **UP-02-11**

Motion by Commissioner Kelley to adopt Resolution No. 9335, approving UP-02-11, a Use Permit to allow Limited Manufacturing at 2104 Martin Way for "Bishop-Wisecarver Corporation," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

MOTION: **DR-02-10**

Motion by Commissioner Kelley to adopt Resolution No. 9336, approving DR-02-10, Design Review approval of architectural plans to construct a 36,412 square foot building for a Limited Manufacturing use at 2104 Martin Way, for "Bishop-Wisecarver Corporation," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

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 10 calendar days of the decision.

**STAFF COMMUNICATIONS:**

1. **Referral of Bay Point BART Specific Plan**

Commissioner Garcia referenced recent articles in the newspapers critical of recent City
action related to the Alves Ranch property and suggested that the BART Board of Directors did not understand that the City had a Specific Plan for that area that had been evaluated for a number of years, which plan had included a number of apartment units, some of which had already been constructed and which had been finally approved by the County, the Bay Point Municipal Advisory Committee (MAC) and the City of Pittsburg.

Commissioner Garcia suggested that BART Director Joel Keller be sent a copy of that plan, which could be made available to all BART Directors. In addition, he recommended that a cover letter be included explaining that Mr. Alves had never become involved with the BART Specific Plan nor had he ever requested that he be included in that plan, while the community of Bay Point had expressed a desire to be included in the plan.

Further, Commissioner Garcia recommended that another copy of the Specific Plan be sent to Assemblymember Joe Canciamilla, also highlighting the same information on apartment units to be built in the area and that a copy of an invitation to the American Planning Association Award of Merit Dinner scheduled for June 21 be forwarded to the same individuals identifying the fact that the City would be receiving an Award of Merit for its new General Plan. He requested that a motion be taken to that effect.

MOTION:

Motion by Commissioner Garcia to direct staff to send copies of the Bay Point BART Specific Plan to the parties identified. The motion was seconded by Commissioner Glynn and carried by the following vote:

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

Mr. Jerome also reported that planning staff had been meeting with the City Attorney on potential changes to the City's Municipal Code as to how the City dealt with business licenses. Staff had also met and discussed the issue with the Code Enforcement Bureau and the Finance Department.

Potential changes could be considered as to how business licenses were being issued, including the filing for a business license at the permit center. Staff had also had some consultations with other cities to learn how business licenses were handled elsewhere.

Mr. Jerome added that staff was also working on follow-up on conditions for use permits, including a possible new permitting system and records management system. It was anticipated that new software could be available in the next year. A formal report would be submitted to the Planning Commission in the near future prior to City Council consideration.
Commissioner Harris advised that he had recently spoken to the City Attorney and noted
that the issue would not be brought before the Commission until he and Commissioner Garcia had the opportunity to meet with the City Attorney to review the issue and the applicable City ordinances. The City Attorney had indicated to him that she would have information available in July.

**GENERAL PLAN UPDATE REPORT:**

Mr. Jerome reported that a memorandum and reservation form had been included in the Commission packets regarding the 2001 Northern Section Awards Banquet where the City of Pittsburg would be presented an American Planning Association Award of Merit for the City’s new General Plan. Commissioners interested in attending the dinner were encouraged to contact staff as soon as possible to identify that interest.

Commissioner Harris requested the consideration of a dinner where the Award of Merit could also be presented to the Planning Commission.

**ZONING ADMINISTRATOR REPORT:**

There was no Zoning Administrator Report.

**COMMITTEE REPORTS:**

Chairperson Holmes advised that he had attended the Traffic and Circulation Advisory Committee where a discussion had been held on how four way signs had come to be installed on Harbor Street and Garcia Avenue in that Engineering staff had not been involved in that installation. Because of the potential for traffic hazards, he expressed his hope that motorists would soon become aware of the new traffic devices.

**COMMENTS FROM THE COMMISSION:**

There were no comments from the Commission.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:47 P.M. to a regular meeting of the Planning Commission on June 25, 2002, at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

RANDY JEROME, Secretary
Pittsburg Planning Commission

June 11, 2002