MINUTES

OF THE REGULAR MEETING
OF THE

PITTSBURG PLANNING COMMISSION

October 29, 2002

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Glynn at 7:30 P.M. on Tuesday, October 29, 2002, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Chairperson Glynn

Absent: None

Staff: Director of Planning and Building Randy Jerome; Planning Manager Melissa Ayres; Associate Planner Ken Strelo; Assistant Planner Dana Hoggatt; Planning Technician Christopher Barton; Planning Intern Gary Hsueh; and City Engineer II Alfredo Hurtado.

POSTING OF AGENDA:

Chairperson Glynn advised that the agenda had been posted at City Hall on Friday, October 25, 2002.

PLEDGE OF ALLEGIANCE:

Chairperson Glynn led the Pledge of Allegiance

DELETIONS/WITHDRAWALS:

Mr. Jerome reported that Item No. 2, Bailey Estates Residential Subdivision, would be continued to the Planning Commission meeting of November 12, 2002.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.
PRESENTATIONS:

There were no presentations.

CONSENT:

A. Minutes - October 15, 2002

Chairperson Glynn reported that he would abstain from the vote of the October 15, 2002 minutes since he had not been present for the entire meeting.

MOTION:

Motion by Commissioner Kelley to approve the minutes of the October 15, 2002 meeting, as submitted. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez
Noes: None
Abstain: Glynn
Absent: None

B. Popeye's Chicken and Biscuits (Extension of Time) UP 01-25, DR 01-37 and DR 01-39.

MOTION: UP 01-25

Motion by Commissioner Garcia to adopt Resolution No. 9387 to extend Resolution No. 9257 approving UP-01-25, a Use Permit for a self-service restaurant with drive-through window for Popeye's Chicken and Biscuits. The motion was seconded by Commissioner Kelley and carried by the following vote:

Ayes: Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Glynn
Noes: None
Abstain: None
Absent: None

MOTION: DR 01-37

Motion by Commissioner Garcia to adopt Resolution No. 9388 to extend Resolution No. 9258 approving DR-01-37, architectural and site development plans for a restaurant and freestanding sign for Popeye's Chicken and Biscuits. The motion was seconded by Commissioner Kelley and carried by the following vote:
CONTINUED PUBLIC HEARING:


Continued public hearing on an application by John Stremel, Bailey Estates, LLC, requesting that the City Certify the Environmental Impact Report, prezone 122 acres of two parcels totaling 265 acres located on the west side of Bailey Road at the southern edge of the City to RS (Single Family Residential District), approve a tentative map on the 122 acre site consisting of 257 single-family lots, public roads, and private open space, and grant design review approval of the proposed home designs; portions of APNs 097-230-003 and 097-230-004.

Mr. Jerome advised that the City received correspondence dated October 29, 2002 from Edward Shaffer, Archer & Norris, 2033 North Main Street, Suite 800, Walnut Creek, (representing Seecon Financial & Construction Co., Inc.) on the Final Environmental Impact Report (EIR). Staff would review the correspondence for further action relative to the Final EIR before it was returned to the Planning Commission for consideration. Mr. Jerome recommended that the application be continued to the next meeting on November 12, 2002.

PUBLIC HEARING OPENED

There were no comments from the public, Chairperson Glynn advised that the application for the Bailey Estates Residential Subdivision, RZ-01-04, Subdivision 8406 and DR-02-26, would be continued to the Planning Commission meeting of November 12, 2002.

PUBLIC HEARINGS:

Item 2: Fire Station 85. DR 02-30.

Public Hearing on an application by Michael Argo of the Contra Costa County Fire Protection District requesting design review approval to construct a 5,887 square foot fire station and apparatus room on 0.87 acres of a 1.91-acre site approximately 800 feet south of the Loveridge Road/East Leland Road Intersection, just north of Stoneman Elementary School. Included in the application is a request for a freestanding sign. The proposed fire station would be a relocation of the existing Station #85 located at 2255 Harbor Street, GQ (Governmental and Quasi-Public) zone; APN 088-161-031.

Associate Planner Ken Strelo presented the staff report. Mr. Strelo identified the findings that must be made by the Planning Commission to approve the design review application.
including a finding that the structure had been designed using good taste and design which
generally contributed to the character and image of the City as a place of beauty,
spaciousness, balance and quality. The appearance of the structure must also not cause
the neighborhood in which it was located to depreciate in appearance and value. In
addition, the structure must be in harmony with the proposed developments on land in the
general area.

With respect to the freestanding sign portion of the application, the Planning Commission
must find that the building was set back from the street and/or obscured from view by
vegetation in such a manner that adequate identification could not be obtained from a sign
placed on the building.

Mr. Strelo stated that staff believed the building facade needed additional features. He
indicated staff had suggested the applicant add a stone wainscoting to the main building,
and the applicant had agreed. He added that this provision is reflected in Condition No. 13
of Resolution No. 9385. Mr. Strelo added that with this condition, staff believed the project
had been designed in a manner that was in good taste and which met the findings required
to be made for approval. Additionally, staff believed the Commission could make the
required findings to approve a freestanding sign since the building would be set back from
the street approximately 75 feet and be obscured from the street view by vegetation used
to beautify the site.

Mr. Strelo recommended that the Planning Commission adopt Resolution No. 9385,
approving DR-02-30 with the conditions as shown.

PUBLIC HEARING OPENED

PROPOUNENTS:

MICHAEL ARGO, Assistant Fire Chief, Contra Costa County Fire Protection District, 2010
Geary Road, Pleasant Hill, presented the Commission with a sample color and materials
board for review.

GARY WILLOUGHBY, Architect, Loving and Campos, 245 Ygnacio Valley Road, Walnut
Creek, commented that the staff report had been thorough. He was available to respond to
specific questions related to the project.

In response to the Chair as to whether or not the project design was standard, Mr.
Willoughby acknowledged that in some respects the design was a standard prototype,
although for each specific site the colors and materials had been modified to be compatible
with the area in question. He also explained that the project would involve the relocation of
existing personnel and equipment from Fire Station #85, where a Type-1 Engine had been
stationed.
Commissioner Kelley expressed concern as to whether or not the CCCFPD had taken into consideration the start and close of school periods in the area and the associated traffic, particularly since the station would be located near an elementary and middle school.

Assistant Chief Argo advised that the traffic situation was not inconsistent with the other fire stations in the CCCFPD. In all there were 28 stations, many of which operated in congested areas and around schools. The station would not be so close to the school as to create concern with the traffic flow, road or pedestrian traffic that could be in the area. He advised of the CCCFPD's protocol and training stating there would be great caution when trucks pulled out of the station. He noted that many of their stations were located in downtown commercial areas where there was a lot of foot traffic. He was confident that issue could be satisfactorily addressed.

Commissioner Dolojan inquired whether or not signage with flashing lights would be installed in front of the station to alert traffic and/or pedestrians in the area when trucks were exiting the station.

Assistant Chief Argo expressed the willingness to work with the City's traffic engineers to address all safety concerns. He emphasized the care taken when exiting a station. In response to the Chair, he also affirmed that he had read, understood and would accept the staff recommended conditions of approval.

ROSE SCUDERO, President, Pittsburg Historical Society, reported that she had submitted a written request to the City Council some months ago for consideration of naming the two fire stations in honor of Shad Enea who had been instrumental with the Riverview Fire Protection District throughout the County and in honor of Charles Scudero, who had been both Police and Fire Chief from 1901 to 1936.

An unidentified individual concurred with the request noting that both men were important to the City's history. It was noted that Mr. Scudero's history went back to the late 1880's and early 1900's when as a young man he had worked as a volunteer fireman until his retirement in 1936.

Ms. Scudero requested that Fire Station #84 to be located on Railroad Avenue be named in recognition of Charles Scudero, with Fire Station #85 on Loveridge Road to be named in recognition of Shad Enea.

Assistant Chief Argo advised that he had no personal or professional objection to the request to name the stations, although he would have to examine the request and forward it to the Board of the CCCFPD, which under the auspices of the County Board of Supervisors had the responsibility and authority for making such a determination. He acknowledged that such requests had been made in the past.

Chairperson Glynn questioned whether or not the request could be made a condition of
approval. He recognized the historical contribution provided by both individuals and he expressed concern that the County would decide whether or not those individuals should be recognized. He suggested that the fire stations be designated for the individuals as proposed, with a plaque to be placed on the buildings, which should be added as a condition of approval.

Mr. Jerome suggested that any condition include a disclaimer, that the dedication of the fire stations be subject to the CCCFPD.

Commissioner Garcia disagreed that a disclaimer should be added to an additional condition since the City would be contributing approximately $2 million to the project through the Redevelopment Agency. As such, the City Council should have some authority to grant the request. He supported the request and noted that the station on Leland Road had enhanced that area and the proposed station would also enhance the area where it would be located. He commented that if the City Council did not agree with the request to name the stations, the condition could be removed by the Council at that time.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: DR 02-30

Motion by Commissioner Garcia to adopt Resolution No. 9385, approving DR-02-30, Design Review approval of architectural and site development plans to construct a 5,887 square foot fire station and apparatus room located approximately 800 feet south of the Loveridge Road/East Leland Road intersection on Harbor Street, Fire Station #85 - Loveridge Road, with the conditions as shown and subject to an additional condition that the fire station be dedicated in recognition of Horace "Shad" Enea and that a plaque be placed on the building to that effect. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Glynn
Noes: None
Abstain: None
Absent: None

Commissioner Leonard stepped down from the dais at this time due to a potential conflict of interest since he had been working with some of the parties associated with the transaction related to agenda Item No. 3, Fire Station #84.

Item 3: Fire Station 84 and Administration Center. UP 02-20 and DR 02-29.
Public Hearing on an application by Michael Argo of the Contra Costa County Fire Planning Commission Minutes 6 October 29, 2002
Protection District requesting a use permit to establish a Public Safety Facility, and requesting design review approval to construct a 10,492 square foot fire station including administrative offices and a training classroom on a vacant 1.62-acre site located on the east side of Railroad Avenue at the Railroad Avenue/Civic Avenue intersection. Included in the applications is a request for a freestanding sign. The proposed fire station would be a relocation of the existing Fire Station #84 located at 200 East Sixth Street. The project site is zoned CO (Office Commercial) and GQ (Governmental and Quasi-Public) zone; APNs 086-190-035 and 086-190-036.

Assistant Planner Dana Hoggatt presented the request from Michael Argo of the CCCFPD requesting a use permit to establish a Public Safety Facility, and requesting design review approval to construct a 10,492 square foot fire station including administrative offices and a training classroom on a vacant 1.62-acre site located on the east side of Railroad Avenue at the Railroad Avenue/Civic Avenue intersection. Included in the applications was a request for a freestanding sign. The proposed fire station would relocate existing Fire Station #84 located at 200 East Sixth Street. The project site is zoned Office Commercial and Governmental and Quasi-Public zoning district.

The applicant proposed to relocate the station in the downtown area to an undeveloped lot located near the intersection of Civic and Railroad Avenues bordered by the Mar-Rey Hotel, an office building, single-family residences, and the Pittsburg High School campus. The applicant proposed to develop the site with a new single story fire station consisting of 10,492 square feet to house living space for Emergency Medical Technician (EMT) staff as well as a training classroom and administrative offices for public education and outreach staff. The building would include a red brick veneer and beige plaster exterior, similar to materials used on the County Court House building located to the west, and the Pittsburg Unified School District (PUSD) Administrative Offices and the office building to the north of the site. The building would also include an olive green, metal standing roof similar to the colors and materials used for Station #85.

The project would require the replacement of the existing median on Railroad Avenue, with the existing 6-inch median to be replaced with a 2.5-inch tall median to allow the fire trucks to make a left turn access out of the fire station. The station would also be equipped with a signal override to trip the signal lights at Civic and Railroad Avenue to clear traffic when exiting the site for an emergency.

The project was consistent with the General Plan and for the project land use designations for Office Commercial and Governmental/Quasi Public. Ms. Hoggatt stated that both designations would support the development of a fire station.

The relocation of the fire station was also consistent with the General Plan guidelines, which called for the relocation of stations to improve response areas and response times. With the relocation of Station #84 farther south and closer to State Route 4, a greater portion of the area within the City and developed areas would be included in the new Planning Commission Minutes

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response radius of the new location.
Ms. Hoggatt advised that the building complied with building standards in terms of setbacks, lot coverage, building height and Floor Area Ratios (FARs). In addition, the parking would be adequate based on the use of the station by EMT staff and administrative staff.

Ms. Hoggatt clarified the findings that would have to be made to approve the project and stated staff believed the findings could be made for approval. Mr. Hoggatt recommended that the Planning Commission adopt Resolution No. 9383 approving UP-02-20, and Resolution No. 9384 approving DR-02-29, with the conditions as shown.

Commissioner Harris commented that the sound wall being proposed to buffer the project site from adjacent properties had called for a masonry wall on the detail sheet, while the plans had identified a pre-cast material. He expressed a preference for a masonry wall as opposed to a pre-cast wall, which he said would not last as long or be as attractive.

Ms. Hoggatt clarified that the pre-cast sound wall shown on the landscape plans was the correct plan.

PROPRIETORS:

GARY WILLOUGHBY, Architect, Loving and Campos, 245 Ygnacio Valley Road, Walnut Creek, explained that a pre-cast wall had been proposed. The wall would be at least 8 inches thick and 8 feet in height with horizontal striping.

Commissioner Harris reiterated the contradiction in the plans and his preference for a masonry wall.

Mr. Willoughby commented that the error had involved a coordination problem with the plans. He emphasized that the landscaping plan had specifically called for a pre-cast wall. He clarified that the pre-cast material would consist of a sierra pre-cast slab panel with steel posts and panels which would slide down in between, all solid concrete. He verified that there would be a keyway on the bottom for complete closure in order to keep the sound on the subject site.

Commissioner Dolojan inquired whether or not a warning light system would be installed for the station to warn motorists and pedestrians when a truck was exiting the property.

MICHAEL ARGO, Assistant Fire Chief, CCFPD, 2010 Geary Road, Pleasant Hill, was uncertain whether or not there would be any designated or additional lighting for the site, although there would be a preemptive device to allow control of the intersection signals. The trucks would come out with lights and air horns if necessary. He reiterated that they would be open to whatever the Commission or traffic safety staff would recommend in that regard. He emphasized that there was no assumption that the fire trucks had the right-of-
Commissioner Kelley inquired of the emergency response time of the new site in comparison with the existing site, to which Assistant Chief Argo explained that time studies had been taken and that everything in the downtown area down to the Marina was within three and a half to four minutes from the site. Most of the downtown was well within the three-minute range.

A service area study was displayed to the Commission to identify the mile and half radius distance from each station. Station #86 was also identified on the map at a preferred location, although the CCCFPD still needed to acquire a site to locate that station in the Southwest portion of the City. There was a desire to remain north of the freeway, although given the limited land available, a site on the south side of the freeway might also have to be considered for that facility.

Chairperson Glynn requested clarification whether or not the existing equipment of the current station would be expanded or changed with the new facility.

Assistant Chief Argo advised that they would bring all of the same equipment to the new site with the apparatus bay to accommodate an additional truck as a service unit that could be activated if the truck for Station #84 were to go down, or if an event were to occur in the County where an additional truck would be needed to bring personnel on duty out of the area. The apparatus bay would be 75 feet in depth from the typical 53 feet, with the same number of doors and bays for exiting purposes.

All normal day to day activities and number of personnel would remain the same, although it was anticipated that paramedic services for both Station #84 and #85 would come on line in June once the recently hired paramedics had completed their training academy. Additionally, the administrative personnel would be moved out of southeast Antioch to the new administrative center.

Assistant Chief Argo also explained that the new facility would accommodate the Battalion Chief for Station #84, who would have his own separate vehicle garage and accommodations where he would reside during the evening. He also affirmed, when asked, that training was currently conducted in the City of Concord and that much of the training occurred in the classroom, particularly for the EMS personnel. Currently, the City had allowed them to use the City's Environmental Center classroom. He identified the back of the administration wing where the classrooms would be located and noted that the long parking spaces would accommodate a truck depth. Antioch and Pittsburg units would also participate in the classroom work.

In response to Commissioner Ramirez, Assistant Chief Argo identified the traffic pattern for the trucks to return to the site after the trucks left the station; reentry would be in a northern clockwise pattern.
Assistant Chief Argo explained that the CCCFPD had no predetermined need for the old station and it was open to suggestions. There had been no identified continuing needed use of the site at this time. The CCCFPD's Swift Water Boat operation and activities at the station would also be relocated to the new facility. It would be less expensive to operate the station with everyone at one site and the new location would be closer to the Civic Center where code personnel would have easy access to City staff.

Chairperson Glynn noted he would support an additional condition to the application to designate the station in recognition of Charles Scudero, as earlier requested. He also inquired whether or not the Assistant Fire Chief had read and was in agreement with the staff recommended conditions of approval.

Assistant Chief Argo affirmed that he had read and was in agreement with the conditions of approval.

RON WAITE, Pittsburg, stated that he had canvassed his neighborhood over the past several months at which time many residents had inquired of the status of the old fire station. Residents had expressed concern with the response time to the downtown. With a 20-MPH wind, he inquired how much damage could be done to a home in 3 minutes and he sought a response time for a second unit to respond to the downtown and Marina areas, if needed.

Assistant Chief Argo recognized the neighbors' concerns regarding the relocation of the existing station. He also recognized that time was precious, particularly in the ALS and EMS environment and that there was a need to reach people in a hurry. He acknowledged that fires moved quickly and that wind had an affect on fires. While he had hoped that the CCCFPD would have the funds to build a new station and to retain the existing station, that had not been feasible. A review of the response areas that current Station #84 protected showed that a third of the existing first run area, mile and a half radius from that station was located in the San Joaquin River. As a result, the CCCFPD proposed to relocate the station to a location that would provide the best actual coverage for the most residents and merchants in the City.

Assistant Chief Argo advised that they were not concerned that they would not be able to get to the north portion of the City. He emphasized that the CCCFPD was fortunate throughout Central County in that they were a special district with 30 companies, 28 fire stations within their jurisdictions and with mutual aid from virtually every other fire agency, both public and private [refineries] and automatic mutual aid with everyone around them. They also enjoyed the availability of State mutual aid resources. He emphasized that the City had extremely good coverage. Additionally, the City of Antioch was near enough that their resources were immediately available as well.

Assistant Chief Argo explained that they were providing the best sound fire and rescue planning.
advice for professional fire service that was available. If Station #84 was busy, he noted
that Station #85 from its new location to Station #84 was probably less than five minutes
away. He explained that the way the fire service operated in terms of planning station
relocations was to use the national standards, to have one first unit to all scenes of
emergencies within four minutes roll time. The next part of that standard would allow a full
alarm assignment on the scene of a fire within eight minutes.

Based on the mile and a half diameter and based on the three minute response, Assistant
Chief Argo noted that there was virtually no way that they could not have a full response on
an incident within eight minutes.

Chairperson Glynn inquired whether or not all stations within the jurisdiction of a response
would be concurrently notified when an alarm was pulled.

Assistant Chief Argo clarified that assuming that Station #85 was notified to respond along
with Station #84, a public address announcement would be made as to the move of Station
#84. If, for example, there was a situation with a credible report of a fire, there would be a
full automatic response which would involve four units. In the event Station #84 was busy
and #85 was responding, the worst-case scenario of the response time from #85 to #84's
location would still be approximately eight minutes.

Commissioner Garcia noted that the relocation of the station would not change the
response time of the second unit.

Assistant Chief Argo explained that they were moving Station #85 a little bit southeast and
it would take that station a bit longer than if it were to leave from the current Harbor Street
location.

Commissioner Garcia commented that it would not necessarily take a bit longer if the
trucks were traveling down Loveridge Road and the old Antioch/Pittsburg Highway
because the Truck Bypass would allow the trucks to increase speed rather than be delayed
with all of the traffic lights on Harbor Street.

Assistant Chief Argo also clarified that the relocation of the station would balance the call
load between Station #84 and Station #85, since Station #85 was an exceptionally high call
volume station and ran over 2,200 calls per year while Station #84 usually received 1,100
calls.

OPPONENTS:

MARTIN RICcabona, 166 Oak Place, Pittsburg, expressed concern with potential
negative impacts as a result of the project, particularly due to traffic, noise, environmental
issues, and congestion in the immediate intersection in the mornings and evenings during
school periods. He questioned how the fire trucks could be allowed to bypass traffic lights
for north or southbound access on Railroad Avenue without adding more congestion or increasing possible accident rates to the area.

Mr. Riccabona explained that the south end of his existing property line would be 43 feet from the subject property. He expressed concern with the materials proposed for a pre-cast sound wall.

Mr. Riccabona inquired whether or not there would be any specific requirements above and beyond what had already been proposed to mitigate impacts associated with the close proximity of the station to his property. He also questioned what would occur if the noise impacts were found to be excessive even after the construction of a eight-foot sound wall. He pointed out that the homes in the area had been built in the 1950's, many equipped with single pane windows. He disagreed that an eight-foot sound wall would attenuate noise impacts to the adjacent neighbors. In addition, he questioned whether or not any traffic or environmental studies had been prepared to identify what would occur in the event of a fire or an emergency as it related to potential impacts to the adjacent residential properties.

Mr. Riccabona questioned whether traffic would be able to exit the property southbound during afternoon periods, or whether it would only be allowed for emergency use for emergency periods. During an emergency, he questioned whether or not residents of Oak Place would still have the ability to make a left turn onto Railroad Avenue. He requested that his comments be addressed prior to any action by the Commission.

Commissioner Garcia explained that a similar situation had occurred on Leland Road where homes were located alongside a proposed fire station. He understood that after that fire station had been constructed, there had been no complaints from the neighbors adjacent to that station. He also understood that during late night periods when responding to calls, the horns and lights on the emergency vehicles would not be used when exiting the property. He also clarified that an ambulance would not be situated on site. The personnel would be riding with the firefighters as a continuation of their training.

Commissioner Garcia also noted that the project would not affect residents' ability to make a left turn out of Oak Place since the only time it would be affected would be if the intersection was controlled by the station during a response to a call when only the fire truck would travel through. Once the truck exited the property, the traffic signal would revert back to its normal cycle. He also pointed out that the sound wall would be eight feet in height and the trucks coming to the site would be coming to a classroom for training and would not be training outside.

Assistant Chief Argo clarified that there could be weekend training and that it would involve in-service training. No personal vehicles would be used in that case in that the personnel would access the site using CCCFPD vehicles.

Mr. Riccabona reiterated his concerns with the project, particularly the potential noise and Planning Commission Minutes
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traffic impacts and since his property would be located within 43 feet of the project site. He also expressed concern that the potential impacts could occur seven days a week.

Commissioner Garcia noted that Mr. Riccabona's residence would be located to the left of the main building.

Assistant Chief Argo described the entrance/exit movements of the trucks as they access the property.

CHARLES SMITH, Pittsburg, recognized that the City needed fire protection and that the proposed site would allow a more spacious facility than the current site, although he suggested that the location for the station was inappropriate. He also recognized the traffic congestion in the area and the fact that Railroad Avenue was often blocked all the way down to Tenth Street.

Mr. Smith encouraged Commissioners to view the subject property, particularly since a mature tree was situated in the middle of the proposed site. He pointed out that all trees and vegetation would be removed as part of the project. He further commented that the staff report had indicated that 65 dBA was considered to be the Community Noise Equivalent level and that the dBA associated with the site could spread out to a level as high as 90 dBA impacting the surrounding area. He emphasized that the proposed site was not an appropriate location for a fire station.

PAMELA RAMIREZ, 190 Oak Place, Pittsburg, explained that the fire station would literally be located in her back yard. She too expressed concern with the potential noise impacts and while she had spoken with Assistant Chief Argo who had assured her that the sound wall would address any noise impacts, she questioned the use of pre-cast material rather than masonry material for the sound wall. She also understood that the station would be a new station not a relocation of an existing station, which would include EMT and training facilities, and that training would occur only Monday through Friday, and not on weekends. She reiterated her concerns with the potential noise impacts since the trucks would enter adjacent to her rear yard.

Ms. Ramirez further expressed concern with the traffic at the intersection of Oak Place and Railroad Avenue which already experienced congestion. She too suggested that the property was not appropriate for a fire station.

ROSS De BOIE, Pittsburg, as a member of the City's Traffic and Circulation Advisory Committee (TCAC), inquired when a traffic study had been prepared and whether or not it had been prepared before or after the recent downtown parking configuration on Railroad Avenue.

Assistant Chief Argo understood that a traffic study had been prepared in October 2001. He was uncertain whether or not that study had been prepared after the reconfiguration of Planning Commission Minutes

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Mr. De Boie noted that the parking on Railroad Avenue had been reconfigured from parallel to diagonal parking which had created a bottleneck in the downtown area. As a result, he suggested that the response times to the downtown would be longer than three minutes. He pointed out that there were more people in the downtown area, along with more businesses. He noted that the Chamber of Commerce would be moving to the downtown area. He suggested that another traffic study should be prepared prior to any action on the project.

Mr. De Boie also expressed concern with the underpasses in the downtown area and the possible relocation of the fire station from the downtown area. In the event of a catastrophic event, such as the 1989 earthquake, he questioned what would be done if trucks were unable to access the downtown because an underpass was damaged. He expressed concern with the possible loss of fire protection to the downtown area as a result.

Mr. De Boie further commented that the reference to the station's Sphere of Influence (SOI), which included the San Joaquin River, had no bearing, in that the same situation had occurred in the City of Clayton where a new station had been built and where the SOI was out in a field where no homes would ever be built. He emphasized that the downtown area included boats, industry, and other buildings. He requested that all issues be considered prior to any action being taken, particularly since residents and downtown businesses did not support a relocation of the station. He requested that the application be tabled to allow more study on potential impacts to the downtown area.

Commissioner Harris pointed out that the station on Loveridge Road would be able to access the old Pittsburg/Antioch Highway to California Avenue to reach the downtown.

In that event, Mr. De Boie suggested that the response would take more than eight minutes.

Commissioner Dolojan noted that Harbor Street was currently closed due to construction. Once it was reopened and widened, he stated it would ease the traffic congestion on Railroad Avenue. He also noted that even if the station were approved, it would take months to construct where traffic would ease up at least once the Harbor Street improvements had been completed.

Assistant Chief Argo explained that once ground was broken for a station, it would take between nine and ten months to construct during a normal rainy period.

Chairperson Glynn emphasized that there were a number of construction projects currently ongoing that would impact response times. He also noted that the concern raised with the
underpasses in the downtown was legitimate and he delineated the routes that would be a concern. He pointed out that USS POSCO did not have its own firefighting equipment. He otherwise acknowledged the tremendous number of new homes, boats and industry in the downtown area within the current one and a half mile range of the existing station.

Further, Chairperson Glynn commented that if the one and a half mile radius had been in effect at the time of the current station's placement in 1964, someone should have been aware of the fact that a third of the response area was water. He recognized the need to increase the capacity in order to provide additional fire equipment and redistribute the service in response to build out.

Commissioner Garcia commented that when the fire station had originally been built the subdivisions in the downtown had yet to be built as had other developments in the City. The station had been located at its current location given that it had been associated with the former City Hall which had been demolished. The station at that time had been the only station in the City and had covered the entire community. As the City grew, stations on Harbor Street and Leland Road had been built. As the City continued to grow, the relocations were necessary.

Commissioner Garcia also commented in response to residents who were concerned with the potential noise impacts that the City Council had provided assistance to residents near the current Leland Road fire station.

PUBLIC HEARING CLOSED

MOTION: UP 02-20

Motion by Commissioner Garcia to adopt Resolution No. 9383, approving UP-02-20, a Use Permit to establish a fire station on the east side of Railroad Avenue at Civic Avenue, "Fire Station #84 and Administration Center," with the conditions as shown. The motion was seconded by Commissioner Ramirez and carried by the following vote:

Ayes: Dolojan, Garcia, Harris, Kelley, Ramirez, Glynn
Noes: None
Abstain: Leonard
Absent: None

MOTION: DR 02-29

Motion by Commissioner Garcia to adopt Resolution No. 9384, approving DR-02-29, Design Review approval of architectural, sign and site development plans to construct a Fire Station on the east side of Railroad Avenue at Civic Avenue, "Fire Station #84 and Administration Center," with the conditions as shown and subject to an additional condition that the Fire Station be dedicated in recognition of Charles Scudero and that a plaque be

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placed on the building to that effect. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Dolojan, Garcia, Harris, Kelley, Ramirez, Glynn
Noes: None
Abstain: Leonard
Absent: None

Subsequent to the Commission's action, Commissioner Harris recommended that the CCCFPD consider a ten-foot masonry wall rather than the pre-cast sound wall, particularly along the property line adjacent to the residential properties.

Assistant Chief Argo agreed to consider that recommendation and advised that they would evaluate and attempt to resolve the sound issue. He emphasized that they wanted to be a good neighbor and would mediate the problem if any trouble persisted.

Commissioner Leonard returned to the dais at this time.

Chairperson Glynn declared a recess at 9:10 P.M. The meeting reconvened at 9:18 P.M. with all Commissioners present.

**Item 4: USS POSCO Soil Remediation Landfill Expansion (Site L-B Unit 1)**

Public Hearing on an application by Mauritz Kallerud of USS POSCO requesting a use permit to allow the expansion of an existing landfill regulated by the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC). The landfill is located on a portion of the site located at 900 Loveridge Road, IG (General Industrial) zone; APN 073-030-014.

Planning Technician Christopher Barton presented the request from Mauritz Kallerud of USS POSCO requesting a use permit to allow the expansion of an existing landfill regulated by the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC). The landfill is located on a portion of the site located at 900 Loveridge Road, in a General Industrial zone. The applicant planned to take soils located on site L-A and on the USS POSCO main facility and move those soils to an existing control landfill located on site L-B. The project would essentially consolidate contaminated material on the site to the landfill. The project had been categorized as an Off Site Single User Hazardous Waste Facility since it was located on an adjacent parcel that was located directly adjacent to the USS POSCO main facility.

The expansion would add nine vertical feet to the landfill and would expand it 90 lateral feet to the south. The project was consistent with the General Plan and zoning regulations. In addition, the DTSC, as the lead agency, had prepared a Mitigated Negative Declaration which had been posted with the State Clearinghouse between June 10 and June 24, 2002.
for agency and public comment. The DTSC had found that there was no significant impact upon the environment as the project had been proposed and mitigated. Mr. Barton suggested that the Commission could make the necessary findings to approve the application. He advised that he had added an additional condition to the project to be added to Section 3 of proposed Resolution No. 9374, as follows:

10. *Landscaping shall be installed along the eastern edge of Harbor Street west of site L-B from Eighth Street south towards Tenth Street. The landscaping plan shall be subject to the City’s landscape ordinance and review and approval by the City’s Park Planner.*

Mr. Barton explained that the remediation of the soil on the USS POSCO property could potentially allow for future industrial and commercial development of the underdeveloped areas of USS POSCO properties.

Mr. Barton recommended that the Planning Commission adopt Resolution No. 9374, approving UP-02-17, with the conditions as shown.

Chairperson Glynn inquired whether or not the project would involve a seven-day a week operation, to which Mr. Barton explained that the Engineering Department would control the grading through a grading permit. He understood that the operation would occur five days a week, Monday through Friday.

Chairperson Glynn inquired of the mitigation control proposed for the relocation of the material during the five-day period and whether or not the material would be watered down to prevent it from blowing around the area on weekends too. He sought information on the sampling techniques of the material to be excavated and relocated into the landfill.

**PUBLIC HEARING OPENED**

**PROONENTS:**

TOM RILEY, President Riley Engineering, Consultant with the City of Pittsburg, advised that the material had been excavated and for purposes of sampling it would be stockpiled. During the sampling period the material would be covered. Once the data was received and evaluated the cover would be removed and the material disposed.

Chairperson Glynn inquired of the various toxins that could be discovered in the material and the possible biological or health hazards that could be involved. He inquired of the mitigation measures that would be involved when the material was placed into the landfill other than sealing. He also inquired of the depth of the sealant over the contaminated material.

Mr. Riley explained that remediation would be required because of elevated material, over...
and beyond background metal concentrations, with arsenic and lead the primary constituents. He also clarified that as a mitigation measure, the material would be sealed and covered once it was in the landfill. The engineered cover would consist of two feet of covered material, including soil and some geosynthetic materials that were basically plastics, along with 18 inches of soil above that for vegetative cover.

Chairperson Glynn inquired of the ultimate use of the landfill and whether or not anything could be built upon the landfill since it would have to be maintained in its current condition. He further inquired whether or not landscaping would be provided all the way out beyond the drainage ditch along California Avenue.

Mr. Riley advised that the landfill would be maintained in its current condition unless USS POSCO proposed to the DTSC an alternative post closure use. Currently, no post closure use had been proposed. No landscaping had been proposed along California Avenue. The only landscaping being proposed at this time would be on Harbor Street.

In response to Commissioner Harris, Mr. Riley clarified that the soil once excavated would be backfilled with other soil and be hydroyseeded. All disturbed areas would be hydroyseeded. He also affirmed, when asked, that he had read and was in agreement with the conditions of project approval.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: UP 01-27

Motion by Commissioner Garcia to adopt Resolution No. 9374, approving UP-01-27, a Use Permit to allow the expansion of an existing landfill regulated by the Department of Toxic Substances Control on a portion of the site located at 900 Loveridge Road for "USS POSCO Industries," with the conditions as shown and with the addition of Condition No. 10 as recommended by staff. The motion was seconded by Commissioner Harris and carried by the following vote:

Ayes: Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Glynn
Noes: None
Abstain: None
Absent: None

Item 5: Loveridge Center Starbucks. UP-02-19 and DR-02-27.

Public Hearing on an application by Peter Tobin of Tait and Associates requesting a use permit to allow a self-service restaurant with drive-through service, and requesting design review approval of architectural and site development plan to construct a 6,000 square foot, multi-tenant building on a 0.83-acre parcel located on California Avenue, west of
Loveridge Road in the Loveridge Commercial Center; CS-O (Service Commercial with a Limited Overlay), zone; APN 073-190-017.

Planning Technician Barton presented the staff report. Mr. Barton advised that the project was consistent with the General Plan and zoning regulations. Starbucks has been the only identified tenant at this time. Mr. Barton reported that a traffic study had been prepared at the time of the approval of the Loveridge Center. The Traffic Engineering Department had reviewed the project and had found no traffic circulation conflicts.

Mr. Barton added that Caltrans had yet to determine the amount of right-of-way needed with the reconfiguration of the Loveridge Road interchange. Ultimately, California Avenue would be widened. Since the Final Map had yet to be approved by the City Council, it was possible that the site plan could change. If the change, if any, was substantial, the site plan would be returned to the Planning Commission for review.

Mr. Barton identified a buffer between the curb at California Avenue and the property line for the widening with temporary landscaping required for that area. In addition, the landscaping along California Avenue would have to be consistent with a Master Landscaping Program for the Loveridge Center.

Mr. Barton recommended that the Planning Commission adopt Resolution No. 9380 approving UP-02-19, and Resolution No. 9381 approving DR-02-27, with conditions.

Chairperson Glynn noted the numerous discussions related to the roadwork being conducted by the Contra Costa Transportation Authority (CCTA) on and near California Avenue in relationship to the Mill Creek project in general. When the project had been approved, the CCTA had stipulated that no additional width would be needed for the roadway, although subsequent to the approval, the CCTA had requested 50 feet of that property. He requested a clarification of that situation.

Mr. Barton expressed his understanding that the Final Map was in substantial conformity with the site plan that had now been presented to the Commission.

City Engineer II Alfredo Hurtado affirmed that the CCTA had requested 50 feet, although since that time staff had met with the developer and the CCTA, which had ultimately accepted the originally proposed dedication. He referenced Attachment 3 to the staff report dated October 29, 2002, the applicant's plans, which had identified the ultimate right-of-way that Caltrans had requested.

Mr. Hurtado noted that the developer, Mill Creek would be setting aside funds for the improvements that would be done in the future once they were clearly identified. Staff would present the plans to the City Council for approval at its November 4 meeting.

Chairperson Glynn requested clarification of the access road that would travel towards the back of the parcel where the storage and research facilities would be located. He inquired
how the widening of the road to align with Diane Avenue would impact the Martin Luther King School.
Mr. Hurtado clarified that the developer would only be allowed to conduct improvements along the perimeter of the subject site. Caltrans had not yet identified any proposed improvements for California Avenue. Mr. Hurtado expressed his understanding that the developer and the Pittsburg Unified School District (PUSD) were negotiating to purchase some area for the future improvements. He also noted that Chevron had relocated its tanks farther back on the site in anticipation of additional right-of-way dedications.

Chairperson Glynn pointed out that the Commission had been provided with plans showing only half of the width of the street improvement project. He suggested that it would have been beneficial for the Commission to have been provided with plans for the other half as it connected to the Martin Luther King property from the Loveridge Road intersection past the entire sweep of the project.

Mr. Hurtado expressed the willingness to display the plans of the entire site to the Chair at City Hall.

Commissioner Garcia understood that as a condition of approval, there was to be a right turn in/out the full length of the property with two lanes that would travel straight down California Avenue, with two lanes to turn left onto the freeway.

Mr. Hurtado affirmed that the configuration described by Commissioner Garcia would remain until the project was reconfigured based on Caltrans' future plans.

Chairperson Glynn requested assurance that truck traffic would have adequate clearance from the rear of the property along the Martin Luther King school property to make a right turn onto California Avenue towards Railroad Avenue onto the freeway, or to Loveridge Road.

Mr. Hurtado explained that scenario had been worked out and that the City's Traffic Engineering staff had reviewed the traffic circulation. The main problem had been with the right turn lane onto the freeway and although Caltrans had an issue in that regard, the issue had since been resolved with Caltrans. As to the right turning movement into California Avenue, he commented that he did not have an answer in that he understood that most trucks would be turning left westbound onto the freeway.

Chairperson Glynn commented that if the property that contained the drainage system at the end of Martin Luther King School had been widened, as it should have been, to accommodate the rest of the lanes to the west of the site, there could be a right turn down California Avenue as opposed to a left turning lane.

Commissioner Harris stated that he had previously requested a third lane on California Avenue from Praxair to the Martin Luther King School to allow a third lane into the project.
In response to Commissioner Harris’ question as to why the improvements were taking so long to commence, Mr. Hurtado explained that no work was being done because the Final Map and improvement plans had not yet been approved by the City Council. Mr. Hurtado added that once approved, the developer would be given the authority to construct the improvements. The improvements had also been delayed due to Caltrans’ issue related to the 50-foot dedication that came up after tentative map approval.

Chairperson Glynn expressed concern that the project had been designed and approved with a certain methodology and layout only to be impacted by the CCTA’s request for a 50 foot dedication, which had then been withdrawn. He expressed concern with the backtracking and he too questioned the provision for a third lane which had not been identified in the schematic provided by the applicant. He also expressed concern with the project viability and the truck traffic movements in the rear to address the self-storage facility and the research and development offices to the rear of the project site.

PUBLIC HEARING OPENED

PROONENTS:

PETER TOBIN, Tait and Associates, 1001 Galaxy Way, Suite 304, Concord, stated that they were in agreement with the staff recommended conditions of approval. He explained that the project’s initial landscape buffer had been five feet but had now been identified as a 12-foot buffer. He pointed out that they would not move forward on the project until the issue related to the dedication of property had been resolved.

Mr. Tobin explained that there would be 41 parking spaces for the use, eight of which would be utilized via a reciprocal agreement. While City code required queuing in the drive-through for five to six cars, they are providing queuing space for 14 vehicles. He added that Starbucks would not be like Krispy Kreme in terms of volume. While Starbucks would be busy, the busiest period would be early in the morning. Mr. Tobin also identified a buffer zone on the site that would allow vehicles to enter the queue and not conflict with parked vehicles, typically a problem with drive through facilities.

Commissioner Harris inquired whether or not the project design had included the third lane on California Avenue. He requested that the project not be allowed to commence until such time as the third lane had been installed, particularly since the developer had agreed to that condition which was why he had supported the project.

Mr. Tobin advised that the design had shown a third lane. He reiterated that the owners would not start the project until the dedication issue had been resolved.

Commissioner Ramirez inquired why only one handicap-parking stall had been provided
with all of the parking.

Mr. Tobin clarified that there were two handicap-parking spaces, with the space on the right not labeled on the plans. He acknowledged that the handicap parking spaces would be van accessible, as required.

Commissioner Garcia inquired of Mr. Hurtado whether or not he could guarantee that the third lane on California Avenue would be provided, and Mr. Hurtado assured him that the third lane would be installed.

Commissioner Leonard questioned the traffic pattern for the drive through and commented that he would have expected the drive through traffic to exit directly west as opposed to switching back through the parking lot. Based on the plans, he noted that it appeared as if a trash enclosure would block the exit if redesigned.

Mr. Tobin understood that many of the access points had previously been approved based on traffic flow. He explained that they had one option for access into the site and that the access had been designed to match the Chevron Station located across the street. He commented that it would be difficult to move the trash enclosure. In addition there was an existing transformer located on the other side of the trash enclosures. If the traffic pattern were modified, some landscaping would also be lost as a result.

Commissioner Harris referenced the wainscoting on the front of the building that had no crown or break between the stucco. He suggested that the building was too plain and he recommended a cap on the line to break the stucco with some sort of wainscot in the front all the way across. He recommended that the applicant work with staff to develop a wainscot to break up the stucco to better dress up the front elevation.

Mr. Tobin reiterated that he was in agreement with the staff recommended conditions of approval. He also clarified that while the rear elevations had not reflected the trellises, as conditioned by staff, they had been identified on the elevations in the staff report.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: **UP 02-19**

Motion by Commissioner Kelley to adopt Resolution No. 9380, approving UP-02-19, a Use Permit for a self service restaurant with drive-trough service located on the north side of California Avenue, west of Loveridge Road for "Loveridge Center Starbucks", with the conditions as shown.

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

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<th>Commissioner</th>
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<td>Kelley</td>
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MOTION: **DR 02-27**

Motion by Commissioner Kelley to adopt Resolution No. 9381, approving DR-02-27, Design Review approval of architectural drawings to construct a 6,000 square foot building located on the north side of California Avenue, west of Loveridge Road for "Loveridge Center Starbucks," with the conditions as shown and with the applicant directed to work with staff to develop a wainscot to break up the stucco on the front elevation. The motion was seconded by Commissioner Harris and carried by the following vote:

- **Ayes:** Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Glynn
- **Noes:** None
- **Abstain:** None
- **Absent:** None

**Item 6: Well-Pet Vet Clinic. UP-02-21.**

Public Hearing on an application by Laurie J. Noe DVM, of Well-Pet Vet Clinic requesting a use permit to allow a veterinary clinic in an existing 2,456 square foot medical office building on a 6,530 square foot lot located at 4040 Railroad Avenue, CC (Community Commercial) zone; APN 087-161-014.

Planning Intern Gary Hsueh presented the staff report. He noted the office currently existed on Railroad Avenue and would be moving across the street from the current location. Mr. Hsueh said that the City had received correspondence from a nearby landowner who had expressed concern with possible noise impacts as a result of the use. Staff had also later received three other letters after the preparation of the staff report from various individuals who had expressed their support for the project and who had provided evidence that there were no noise impacts associated with the existing location. The Commission was provided with all the letters.

Mr. Hsueh reported that staff had analyzed the concerns that had been expressed. Mr. Hsueh recommended that the Planning Commission adopt Resolution No. 9382, approving UP-02-21, with the conditions as shown since the construction of the building consisted of cement block where little noise would be generated to impact nearby neighbors.

PUBLIC HEARING OPENED

PROONENTS:
LAURIE J. NOE, DVM, Well-Pet Vet Clinic, 3827 Railroad Avenue, Pittsburg, explained that she had read and was in agreement with the staff recommended conditions of approval, which she understood were the same conditions that had been imposed on the current location of the business.

WAYNE METZ, 3823 Railroad Avenue, Pittsburg, advised that in April 2002 he had purchased the Better Homes Realty business and the property at 3823 Railroad Avenue in front of the subject business offices. During the time of his purchase and two months prior to that time while inspecting the property, he had never heard a dog bark or a yelp or any other noise or nuisance. Since his purchase of the property, he had found the applicant to be a great neighbor and had found nothing objectionable related to the use. He urged the approval of the request.

Mr. Metz requested assistance from the City in dealing with homeless persons in the area who were abusing the facilities and who had been making the property a nuisance and an eyesore.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: **UP 02-21**

Motion by Commissioner Harris to adopt Resolution No. 9382, approving UP-02-21, a Use Permit to allow a veterinary clinic at 4040 Railroad Avenue for "Well-Pet Vet Clinic," with the conditions as shown. The motion was seconded by Commissioner Ramirez and carried by the following vote:

- **Ayes:** Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Glynn
- **Noes:** None
- **Abstain:** None
- **Absent:** None

**COMMISSION CONSIDERATION:**

**Item 7: Koch Carbon Water Tank, DR-02-37.**

Application by David W. Stauffer of Koch Carbon LLC requesting design review approval of architectural plans for the installation of two 9,500 gallon water storage tanks on the site of the existing Koch Carbon facility located at 707 East Third Street, IG, (General Industrial) zone: APNs 073-020-020 and 073-030-007.

Planning Intern Hsueh presented the staff report. He noted the project would involve the
minor addition of two water storage tanks that would temporarily store wastewater collected at the site until it passed water quality tests. Upon passing water tests, the water would be released into the sewer system. Mr. Hsueh recommended that the Planning Commission adopt Resolution No. 9386, approving DR-02-37, with the conditions as shown.

PROONENTS:

DAVID W. STAUFFER, Koch Carbon, LLC, 707 East Third Street, Pittsburg, advised that the project had originally been recommended by the Delta Diablo Sanitation District, which had worked closely with the development of the new plans. The water storage tanks would add another layer of protection for the wastewater that would later flow into the Delta Diablo sewer system. He affirmed, when asked, that he had read and was in agreement with the staff recommended conditions of approval.

OPPONENTS: None

MOTION: DR 02-37

Motion by Commissioner Ramirez to adopt Resolution No. 9386, approving DR 02-37, Design Review approval of architectural plans for the installation of two 9,500 gallon wastewater storage tanks located at 707 East Third Street for "Koch Carbon Water Tanks," with the conditions as shown.

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

Ayes: Dolojan, Garcia, Harris, Kelley, Leonard, Ramirez, Glynn
Noes: None
Abstain: None
Absent: None

STAFF COMMUNICATIONS:

There were no staff communications.

GENERAL PLAN IMPLEMENTATION:

There was no General Plan Implementation Report.

ZONING ADMINISTRATOR REPORT:

There was no Zoning Administrator Report.

COMMITTEE REPORTS:

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There were no Committee reports.

**COMMISSION COMMENTS:**

There were no Commission comments.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 10:09 P.M. to a regular meeting of the Planning Commission on November 12, 2002 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

MELISSA AYRES, Secretary
Pittsburg Planning Commission