Chairperson Glynn called a regular meeting of the Pittsburg Planning Commission to order at 7:33 P.M. on Tuesday, October 15, 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 Intern Gary Hsueh; and City Engineer II Alfredo Hurtado.

PLEDGE OF ALLEGIANCE:

Chairperson Glynn led the Pledge of Allegiance

POSTING OF AGENDA:

Chairperson Glynn advised that the agenda had been posted at City Hall on Friday, October 11, 2002.

MINUTES: September 10, 2002

MOTION:

Motion by Commissioner Garcia to approve the minutes of the September 10, 2002 meeting, as submitted.
The motion was seconded by Commissioner Leonard and carried by the following vote:

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

DELETIONS/WITHDRAWALS:

Mr. Jerome reported that at the applicant's request, Item No. 4, Bailey Estates Residential Subdivision would be continued to the Planning Commission meeting of October 29, 2002. He recommended that the public hearing be opened to receive any public testimony at which point the item would then be continued to the next meeting.

COMMENTS FROM THE AUDIENCE

PETE CARPINO, Pittsburg, inquired of the status of the storage containers at Wal-Mart which he understood were to have been removed since they were in violation of the conditions of approval of the use permit, a concern he had raised during numerous Commission meetings.

Mr. Jerome advised that a memorandum had been included in the Commission packets from Code Enforcement Officer Jim Tucker who had reported that he had been in contact with Wal-Mart Corporate Offices in Arkansas, which offices had advised that the containers would be removed.

Having recently visited the site, Mr. Jerome noted that there were six containers left. He understood that all were to be removed and that Wal-Mart was searching for an alternate location to store their supplies, possibly one of the newer storage facilities in the area. He was unaware of any timeline involved with the removal of the containers. He added that staff might suggest as an alternative that Wal-Mart build something on site to provide a more permanent storage facility.

Mr. Jerome provided a copy of Mr. Tucker's memorandum to Mr. Carpino.

PRESENTATIONS:

There were no presentations.
PUBLIC HEARINGS:

Item 1: El 7 Mares. UP-02-18.
Public hearing on an application by Jose Luis Guzman of El 7 Mares Restaurant requesting approval of a use permit to allow full alcohol service in conjunction with an existing full-service restaurant occupying 5,600 square feet of a multi-tenant commercial building located at 520 Railroad Avenue, Downtown Community Commercial land use designation; APN 085-166-016.

Assistant Planner Dana Hoggatt presented the request from Jose Luis Guzman of El 7 Mares Restaurant requesting approval of a use permit to allow full alcohol service in conjunction with an existing full-service restaurant located at 518-520 Railroad Avenue, in the Downtown Community Commercial land use designation.

Ms. Hoggatt stated that the restaurant had been operating in the downtown area since January 2000 and had first opened at 700 Railroad Avenue prior to moving to 518 Railroad Avenue. She explained it was a full service sit down restaurant and currently held a liquor license for on-site sales of beer and wine only.

The applicant had requested an amendment to the business operation to allow full service alcohol in addition to the restaurant use. No other changes would occur to the business operation and the food service and menu would remain unchanged. There would be no live entertainment or dancing as part of the business. The business would be open seven days a week between 8:00 A.M. and Midnight. The applicant proposed to serve alcohol between 10:00 A.M. and Midnight, although as a condition of the use permit food must be available at all times that alcohol was available.

Ms. Hoggatt stated staff supported the requested use permit for full alcoholic service, subject to the conditions in the attached resolution.

Commissioner Garcia inquired whether or not the hours of operation were a condition of project approval, to which Mr. Hoggatt affirmed that the use permit would restrict the hours of operation from 8:00 A.M. to Midnight.

Commissioner Garcia referenced Condition No. 11 requiring that there be no reduction in the number of employees per shift. He suggested that when business was slow employees would typically be sent home. He questioned how that condition would be enforced or monitored. He recommended the elimination of that condition.

Ms. Hoggatt explained that the Police Department had imposed most of the conditions. The intent of Condition No. 11 was that there be a certain number of staff available at all times to ensure there was not just a bartender and cocktail server at any given time and that a food server was also available. That condition could be revised to clarify the intent.

Planning Commission Minutes
October 15, 2002
Commissioner Garcia recommended that Condition No. 11 be revised to require that the cook must be on-site during working hours.

Chairperson Glynn also referenced the same condition and suggested that a change in the language should be considered to better clarify that condition.

Ms. Hoggatt agreed that the condition could be modified as recommended by Commissioner Garcia.

In response to Commissioner Harris, Ms. Hoggatt advised that if the applicant desired to stay open beyond Midnight or until 2:00 A.M., that would be considered as an amendment to the use permit and the applicant would be required to request an extension to the hours of operation. That request would require Planning Commission approval.

Chairperson Glynn pointed out that Condition No. 9 had indicated that there shall be no take out food sales with alcohol, which covered the issue of take out food and no alcohol sales related to that issue.

Commissioner Ramirez commented that the conditions had not indicated a requirement for a full time bartender. He expressed concern that if the owner determined that a full time bartender was not needed, a waiter or waitress who might be a minor, could end up serving alcohol. He therefore recommended that the condition be modified to prohibit minors from serving alcohol. Commissioner Ramirez otherwise commented that he had patronized the restaurant many times and had found the food to be good and the operation to be well maintained. He also understood that the Police Department had no problem with the business.

Commissioner Leonard spoke to Condition No. 10 requiring all employees of the restaurant to receive training on sales and service of alcoholic beverages under a specific time period. He expressed concern as to whether or not that condition could be met. He suggested that it might be too restrictive in terms of time constraints.

Ms. Hoggatt explained that the licensee could conduct the training on the sales and service of alcoholic beverages after the initial training had been completed by the California Department of Alcohol Beverage Control (ABC) and the Police Department, the licensee would be authorized to train new employees.

PUBLIC HEARING OPENED

PROPOSED:

JOSE LUIS GUZMAN, 518 Railroad Avenue, Pittsburg, identified himself as one of the owners of the restaurant.
FERNANDO FERNANDEZ, also identified himself as one of the owners of the restaurant. He acknowledged, when asked by the Chair, that he had read and was in agreement with the recommended conditions of approval. He commented that they had also met with Commander William Hendricks of the Police Department to discuss the ABC training.

Mr. Fernandez also acknowledged that if the restaurant were to remain open until 2:00 A.M. he was aware that the cook would have to be present at the restaurant. He did not oppose a condition that the cook be present during the time that alcohol was sold.

Commissioner Ramirez requested clarification whether the restaurant would remain open until 2:00 A.M. or whether it would close at Midnight.

Mr. Fernandez explained that the current proposal was to remain open until Midnight. He acknowledged that if they planned to extend the hours for the sale of alcohol past Midnight, any extension of hours would require Planning Commission application and approval.

OPPONENTS: None

PUBLIC HEARING CLOSED

Commissioner Garcia made a motion to approve the use permit, with a revision to Condition No. 6 that in the event the hours of operation were to be extended from Midnight to 2:00 A.M., the regular menu would be served during that time and a cook would be required to be on site during that time. In addition, he recommended that Condition No. 11 be revised to reflect that a cook would be required to be on the premises at all times that the restaurant was open.

Recognizing that the applicant was only requesting that the restaurant be open until Midnight, not 2:00 A.M. at this time, Commissioner Garcia saw no need for the applicant to return to the Commission if the restaurant hours were extended. He pointed out that other restaurants in the area that also sold alcohol had similar hours of operation.

Chairperson Glynn inquired of the hours of operation for the Liberty Hotel and whether or not the bar was required to close at Midnight.

Mr. Jerome commented that he was uncertain of the hours of operation of the Liberty Hotel, although he knew that ABC regulations prohibited the sale of alcohol after 2:00 A.M.

Chairperson Glynn advised that he had no problem with a modification of the language in the conditions of approval to allow the applicant to serve alcohol past Midnight if he chose to do so, which would avoid the need to return to the Commission to revise the hours of operation.
MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9368, approving UP-02-18, a Use Permit to allow full alcohol service in conjunction with an existing full-service restaurant located at 518-520 Railroad Avenue for "El 7 Mares Restaurant," with the conditions as shown, but with the modification to Condition Nos. 6 and 11, as discussed. The motion was seconded by Commissioner Harris and carried by the following vote:

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

Mr. Jerome requested that agenda Item No. 4, Bailey Estates Residential Subdivision, be considered at this time to allow public testimony given that the item would be continued to the meeting of October 29.

Chairperson Glynn acknowledged the change in the agenda. He left the meeting at 7:58 P.M. to attend a Candidate Forum, also held at City Hall.
Vice Chairperson Leonard chaired the meeting at this time.

Item 4: Bailey Estates Residential Subdivision. RZ-01-04, Subdivision 8406 and DR-02-26

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 reiterated that although the item had been scheduled as a public hearing, the applicant had requested that the item be continued to the next meeting of the Commission. He recommended that the Planning Commission open the public hearing, take testimony and continue the public hearing to the Planning Commission meeting of October 29, 2002.

Mr. Jerome also reported that the City had received three letters related to the application this date from the City of Concord, the Contra Costa Water District, and Ed Schaefer from the law firm of Archer and Norris.

PUBLIC HEARING OPENED

There were no comments from the public at this time.
Commissioner Garcia requested that the following concerns be addressed prior to the next meeting. He commented that while evaluating the Environmental Impact Report (EIR), it had identified the need for an approximate five mile long water line to be installed from Bailey Estates to Olympic Boulevard on Crestview Drive, although the conditions attached to the resolution did not appear to address the water problems related to the site. He noted that when water had been taken out to the west side of Bailey Road, an assessment district had been formed. While he was uncertain if the subject property had been included in that assessment district, he was aware that the Alves property had refused to participate in the district to receive water for that project. He questioned whether or not that problem would be resolved when the item was returned to the Commission for consideration. He did not want the City to be burdened with the installation of the five-mile water line in the future.

Commissioner Garcia also pointed out that some of the concerns raised in the EIR had been identified in 2000. He questioned when the environmental checklist had been prepared, particularly as it applied to the California Red-Legged Frog, which had been found on the Bonneville and Smith properties. He emphasized the need to resolve that issue.

Commissioner Garcia commented that the City of Concord had previously raised a concern as to whether or not Bailey Road would be widened to four lanes. The City's policy had been that the roadway would be widened to four lanes by the developer from property line to property line. He noted that the EIR had not identified a four-lane road.

Further, Commissioner Garcia stated that the project site had shown a two-acre park, although there had been extensive discussions for a larger park similar to the Buchanan Road Park, with a swimming pool and facilities to serve the western portion of the City. He suggested that staff consider using in-lieu fees to build a larger park that would benefit the citizens of the western end of the City. He requested that his concerns be addressed prior to the next meeting.

Commissioner Ramirez also commented that the EIR had not identified a time limit for the development of a park. He requested that some agreement be prepared between the City and the developer with a time limit identified as to when the park would be commenced and completed to ensure that the park was not built long after the project had been completed.

Vice Chairperson Leonard agreed that the goal of larger, nicer and more usable parks was something that should be considered. He agreed with Commissioner Garcia's suggestion for the use of in-lieu fees to provide a larger park on the western side of the City.

Commissioner Harris noted that he had no information on the size of the proposed lots,
including the width and depth dimensions. He requested that the details of all of the lots be identified.

Mr. Jerome explained that such details would be identified on the Tentative Map.

MOTION:

Motion by Commissioner Garcia to continue RZ-01-04, Subdivision 8406 and DR-02-26 for Bailey Estates Residential Subdivision to the Planning Commission meeting of October 29, 2002. The motion was seconded by Commissioner Dolojan and carried by the following vote:

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

Item 2: Landmark Missionary Baptist Church Overlay. RZ-02-15, UP-02-14 and DR-02-21

Public hearing on an application by Wallace T. Campbell of Landmark Missionary Baptist Church requesting a rezoning of 1.94 acres from IL (Limited Industrial) to IL-O (Limited Industrial with a Limited Overlay) in order to add Religious Assembly as a conditionally permitted use. The applicant is also requesting a use permit to legalize the existing Religious Assembly use and design review approval of a new 1,440 square foot modular structure to be installed behind the church and used for ancillary Bible study classes, on a site located at 1115 North Parkside Drive; APN 086-020-024.

Planning Intern Gary Hsueh presented the request to rezone 1.94 acres from Limited Industrial to Limited Industrial with a Limited Overlay in order to add Religious Assembly as a conditionally permitted use. The applicant also requested a use permit to legalize the existing Religious Assembly use and design review approval of a new 1,440 square foot modular structure to be installed behind the church and used for ancillary Bible study classes, on a site located at 1115 North Parkside Drive.

Mr. Hsueh explained that the church had been in the community for many years having first been built in the community of Bay Point and later moved to the present location in the 1950s. The City had annexed the land in 1982. The original application had been for a modular structure to be placed on the site, although in reviewing the City records, no use permits had been found that had been issued to the church. As a result, the applicant had been directed to apply for a rezoning and use permit to legalize the existing church use and allow an expansion of that use.

Mr. Hsueh advised that the rezoning, use permit and design review requests appeared to
be consistent with the General Plan and the Zoning Ordinance. There were three issues that had arisen with the application whereby staff had requested that the applicant improve the property to bring it into conformance with current zoning standards. Staff had requested that the applicant pave a portion of the parking lot and driveway and install landscaping. In addition, staff had requested that the applicant eventually tie into the City's sewer system since the use was currently on a septic system.

Mr. Hsueh explained that staff was of the opinion that the modular unit would not impact the septic tank, although the use permit could be conditionally approved where the church would be allowed to use the existing septic tank for the modular unit as long as an engineer verified its adequacy. Any future expansion proposed for the church would be required to tie into the City's sewer system.

Mr. Hsueh recommended that the Planning Commission adopt Resolution No. 9375, adopting the Negative Declaration and recommending that the City Council approve RZ-02-15; adopt Resolution No. 9376 approving UP-02-14 with the conditions as shown; and Adopt Resolution No. 9377, approving DR-02-21 with the conditions as shown.

PUBLIC HEARING OPENED

TRUMAN CAMPBELL, Pastor, Landmark Missionary Baptist Church, 1115 North Parkside Drive, Pittsburg, commented that the church was eager to improve the property and allow the church to make a difference in the community. He affirmed, when asked, that he had read and was in agreement with the staff recommended conditions of approval. He also commented that the church intended to pave the parking lot as recommended by staff, which would also improve the appearance of the property.

PUBLIC HEARING CLOSED

MOTION: RZ-02-15

Motion by Commissioner Garcia to adopt Resolution No. 9375, recommending that the City Council approve RZ-02-15 to rezone 1.94 acres from IL (Limited Industrial) to IL-O (Limited Industrial with a Limited Overlay) to allow Religious Assembly located at 1115 North Parkside Drive for "Landmark Missionary Baptist Church," as shown. The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

MOTION: UP-02-14
Motion by Commissioner Garcia to adopt Resolution No. 9376, approving UP-02-14, a Use Permit to allow Religious Assembly at 1115 North Parkside Drive for "Landmark Missionary Baptist Church," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

MOTION: DR-02-21

Motion by Commissioner Garcia to adopt Resolution No. 9377, approving DR-02-21, Design Review of architectural and site development plans for the installation of a modular structure at 1115 North Parkside Drive for "Landmark Missionary Baptist Church," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

Commissioner Ramirez stepped down from the dais for the discussion of agenda Item No. 4, Mirant Power Plant, due to a potential conflict of interest since he owned property that adjoined the subject site.

Continued Public hearing on a City-initiated proposal to prezone 14 parcels (approximately 846 acres) located north of Willow Pass Road and south of Suisun Bay in anticipation of annexation to the City. The properties are located inside the County Urban Limit Line and inside the City of Pittsburg's Sphere of Influence and Planning Area. Lands proposed to be prezoned include mainly industrial lands associated with the existing Mirant (former PG&E) power plant, open space areas situated along transmission and railroad corridors, and a trailer park and miscellaneous commercial properties between 1000 and 1666 Willow Pass Road. The proposed zoning classifications generally conform to current Contra Costa County General Plan Land Use designations for the project area. They include IG (General Industrial), IL (Limited Industrial) and OS (Open Space) zoning districts. No development is proposed in conjunction with the annexation. In annexing the subject properties, the City will provide certain public services that were previously provided by the County. In some circumstances, the City is currently entered into a contractual agreement with a special district that currently provides service to the annexation area. Under these circumstances, the special district will continue to provide these services. APNs 085-010-006 and 009, 085-280-005, 096-092-006, 007, 009, 012, 013, and 014, 096-100-001, 004.
Mr. Jerome explained that the item had previously been submitted to the Commission, had been continued to a date uncertain and ultimately had been agendized for the current meeting. Staff had conferred with members of the Bay Point Municipal Advisory Commission who had requested the ability to review the Mitigated Negative Declaration and had also consulted with County Supervisor Federal Glover's Office relative to the merits of the application. He clarified that the only issue before the Commission at this time was the prezoning application.

Associate Planner Ken Strelo clarified a few changes that had been made to the Negative Declaration, which included a map to identify the proximity of the annexation to the City. A submerged parcel found to be outside of the County Urban Limit Line had been removed from the prezoning annexation to ease the process. Mr. Strelo noted that the Delta Diablo Sanitation District had commented on the prezoning application and had requested that all applicable annexation fees be made to the District. He stated that would not impact the physical environment and would not constitute any change to the Negative Declaration.

Mr. Strelo recommended that the Planning Commission adopt Resolution No. 9378, recommending that the City Council approve RZ-02-13, as shown.

PUBLIC HEARING OPENED

PETE CARPINO, Pittsburg, requested a clarification of the prezoning request.

Mr. Strelo explained that prezoning was the same as rezoning but only occurred for parcels located outside of the City. In those instances, the City would prezone the parcel and when annexed to the City that parcel would take on the designated zoning regulation. The prezoning request, it approved by the Commission, would be forwarded to the City Council with a recommendation for approval.

Once those actions had been taken, the City would submit the project to the Local Agency Formation Commission (LAFCO) for consideration of the annexation request. If approved at that time, the prezoning designation would become the zone for the area. The prezoning proposed for the parcels was in compliance with what the City had currently adopted for its General Plan land use designations.

Mr. Carpino understood that there had been some discussion at one time as to who would share in the revenue in terms of the taxes garnered from the property in question. He inquired whether that issue had been resolved or whether LAFCO would resolve that issue.

Mr. Jerome explained that the City was in discussion with the County Administrator's Office regarding that issue. A Memorandum of Understanding (MOU) would be presented to the City Council on November 4 relative to that issue. The MOU was in the process of being

Planning Commission Minutes
October 15, 2002

11
prepared between the City and the County to address the tax sharing issue. The County had proposed that the City not receive any of the revenue from the existing power plant in exchange for its support of the annexation. The intention behind the annexation was for possible future land use development of the area where the City would then have land use control.

Mr. Jerome clarified that the MOU would be negotiated between the City and the County prior to the submittal of the application to LAFCO.

Mr. Strelo pointed out that one of the General Plan policies was to "Maintain the Mirant Power Plant site in the Industrial designation and pursue annexation of the former power plant and adjacent PG&E properties to ensure land use control over these areas."

Mr. Jerome advised that the details of the tax sharing issues were not under the purview of the Planning Commission but would be discussed at the City Council level.

Commissioner Harris suggested that the property was not worth developing if the City did not share in the tax revenues. As such, he would not support the prezoning request.

Vice Chairperson Leonard understood that the City would receive any tax sharing revenues from any new projects that might be developed on the property, although the City would not receive any revenue from the existing plant.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9378, recommending that the City Council approve RZ-02-13, and amend the Zoning Map to prezone 14 parcels (approximately 846 acres) in the Northwest River Area, including the Mirant Power Plant and several adjacent parcels located north of Willow Pass Road and south of Suisun Bay, and that a letter be sent to the City Council indicating that it would be unfair to annex the property to the City if the City were not allowed to share in the tax revenues. The motion was seconded by Commissioner Dolojan and carried by the following vote:

Ayes: Commissioners Dolojan, Garcia, Kelley, Leonard
Noes: Commissioner Harris
Abstain: Commissioner Ramirez
Absent: Chairperson Glynn

Commissioner Ramirez returned to the dais at this time.
Item 5: San Marco School Site - Determination of Consistency with General Plan

A request by the Mt. Diablo Unified School District, that the Planning Commission support the District's acquisition of the proposed San Marco Elementary School site off of San Marco Boulevard.

Planning Manager Melissa Ayres presented the request from the Mt. Diablo Unified School District (MDUSD) for Planning Commission support of the MDUSD's intended acquisition of the proposed San Marco Elementary School site off of San Marco Boulevard. She advised that the State's Public Resource Code required that school districts provide written notice to the local planning commission with the intent to acquire property for new school sites. The same code required a Planning Commission to respond to that inquiry and to offer a recommendation as to whether or not the planning commission would support the acquisition.

Ms. Ayres stated the request before the Commission was for the San Marco School site in the San Marco development off of San Marco Boulevard. The request was consistent with the City's General Plan, the Planned Development rezoning for the property and the subdivision that had set aside a six-acre parcel for the school site. Ms. Ayres recommended that the Planning Commission support the District’s acquisition of the new school site in the San Marco Development.

Commissioner Garcia understood that the school site was the same site that the MDUSD had problems filling in a large hole.

Ms. Ayres clarified that the site had been filled and was available for acquisition. She understood that the MDUSD was anxious to acquire the property as soon as possible.

Vice Chairperson Leonard understood that a school site must be a minimum of ten acres. He requested clarification from staff was to whether or not the six-acre site was appropriate in this case.

Ms. Ayres affirmed that ten acres was the desired size for a school site. In this instance the developer had negotiated with the MDUSD to purchase a six-acre site adjacent to a City park that made up the difference for the desired ten acres.

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9379, supporting the Mt. Diablo Unified School District’s acquisition of an elementary school site in the San Marco Development. The motion was seconded by Commissioner Kelley and carried by the Planning Commission.
following vote:

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

STAFF COMMUNICATIONS:

1. Circuit City Colors. AD-02-14

Associate Planner Strelo reported that Circuit City had been approved on August 14, 2001 and had recently requested a color change for the building. A sample color board was presented to the Commission for review. The color scheme would consist of a new gold color on the four elevations behind the circular Circuit City signage. The item was presented to the Commission as an informational item in the event the Commission required a more formal review as a design review application.

With the consensus of the Commission, Mr. Strelo stated that the item would be administratively approved by staff to allow the color change. While he was aware of no similar change at other stores, he advised that the color change was reportedly part of Circuit City's new corporate color change.

Commissioner Harris stated that he did not care for the color change and would have preferred the retention of the original colors, which he suggested would have been more compatible with the lighter colored buildings in the area.

Commissioners Kelley, Dolojan, Garcia and Ramirez supported the color change.

Vice Chairperson Leonard commented that while he did not like the new color, he recognized that it was a national registered trademark and corporate logo.

2. Code Enforcement Update

Mr. Jerome reported that a memorandum had been included in the Commission packets regarding the Code Enforcement update. He advised that the Code Enforcement Division conducted a presentation with the Police Department on the second Wednesday of each month at 2:00 P.M. As part of that presentation, an update of Code Enforcement activities was provided. That portion of the presentation had been included in the Commission packets as an informational item.

Mr. Jerome explained that he had also invited Commander William Hendricks to the Planning Commission to provide a periodic code enforcement update. He was uncertain whether or not Commander Hendricks would be available to attend the October 29 Planning Commission Minutes
14 October 15, 2002
meeting and might have to provide the presentation at a later date. In addition, the City Attorney would be submitting changes to the Business License Ordinance to the Commission. It was the staff intent to have both Commander Hendricks and the City Attorney make their presentations at the same meeting since both issues were related. The date for those presentations could be either October 29 or November 12, 2002.

Mr. Jerome also reported that the Commission Appreciation Dinner had been scheduled for Tuesday, October 22, 2002, at 6:00 P.M. at Zandonella's Restaurant.

**GENERAL PLAN IMPLEMENTATION:**

Ms. Ayres announced that the City had hired a new Advanced Planner, Noel Ibalio, whose first assignment would be to read the General Plan and incorporate all amendments approved by the council into a final plan.

**ZONING ADMINISTRATOR REPORT:**

There was no Zoning Administrator Report.

**COMMITTEE REPORTS:**

There were no Committee Reports.

**COMMISSION COMMENTS:**

Commissioner Garcia referenced a culvert out of one of the railroad tracks near Loveridge Road on the Antioch/Pittsburg Highway which had been cleaned out, although the culvert near the Steel Mill entrance was full of debris and should be cleaned out prior to the rainy season. He also referenced a set of stop signs on Columbia Avenue and East 14th Street and suggested that the two stop signs located in the east and west directions should be removed since people cut through the residential area to get around those stop signs. He asked that his request be forwarded to the Traffic and Circulation Advisory Committee for consideration.

Commissioner Kelley expressed concern with the lack of maintenance of the landscaping at the former Los Medanos Hospital and Regency Convalescent properties. She inquired who was responsible for the maintenance of those properties.

Commissioner Harris explained that the property was privately owned by the Hospital Board elected by the citizens of the community. He acknowledged the condition of the properties and suggested that nothing could be done unless the City required the property owners to maintain the properties.

Commissioner Kelley recommended that the matter be referred to the Code Enforcement Planning Commission Minutes

15 October 15, 2002
Division for possible action.

In response to Vice Chairperson Leonard, Mr. Jerome acknowledged that he had received requested information regarding the Marina, but had been unable to forward the information to the Vice Chair. He expressed the willingness to send the information to the Vice Chair and also encouraged him to contact Brad Nail of the Economic Development Department, who could provide follow-up information on the same issue.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:46 P.M. to a regular meeting of the Planning Commission on October 29, 2002 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

_________________________________
MELISSA AYRES, Secretary
Pittsburg Planning Commission