A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Holmes at 7:31 P.M. on Tuesday, February 12, 2002, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

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

Absent: None

Staff: Director of Planning and Building Randy Jerome; Associate Planner Chris Bekiaris; Associate Planner Ken Strelo; Assistant Planner Dana Hoggatt; Planning Technician Christopher Barton; Assistant Civil Engineer Alfredo Hurtado; and City Engineer Wally Girard.

POSTING OF AGENDA:

Chairperson Holmes advised that the agenda had been posted at City Hall on Friday, February 8, 2002.

PLEDGE OF ALLEGIANCE:

Planning Technician Christopher Barton led the Pledge of Allegiance.

MINUTES: January 29, 2002

Chairperson Holmes referred to Item No. 1, Oak Hills South Subdivision (Units 1, 2, 3, 4 and 5) Fence Plan DR-01-54, and the references to Albert Seeno Jr. on Pages 2 and 3, and requested that the text be modified to read Albert Seeno III, who had been present to represent the company at that time.
MOTION:

Motion by Commissioner Garcia to approve the minutes of the January 29, 2002 meeting, as amended. The motion was seconded by Commissioner Harris and carried by the following vote:

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

DELETIONS/WITHDRAWALS:

There were no deletions or withdrawals.

COMMENTS FROM AUDIENCE:

PETE CARPINO, 151 El Camino Drive, Pittsburg, commented on the fact that when the Planning Commission approved new businesses such approvals typically carried conditions of approval a business would be required to meet. He expressed concern with the current condition of the Wal-Mart property, which had deteriorated and which had become a blight. He noted that there were also eight storage units that had been placed in the parking lot taking up parking spaces. He requested that the Commission address the situation.

PRESENTATIONS:

There were no presentations.

PUBLIC HEARING:

Item 1: Bailey Road Estates Draft EIR.

Public review period for written or verbal comments on the Bailey Road Estates Draft Environmental Impact Report for a proposed 319-lot single family home subdivision on a 122 acre site located on the west side of Bailey Road on the southerly edge of the City of Pittsburg adjacent to the Concord Naval Weapons Station.

Director of Planning and Building Randy Jerome reported that the item had come before the Commission last year and had been around for the past 20 years previously titled Fox Hollow, located in an unincorporated area which had not been considered for development until a year ago. The property was located within the County's Urban Limit Line (ULL) and some adjustments had been made a year ago that had included the specific area. While unincorporated, he suggested that it should be allowed to be annexed into the City.

February 12, 2002
Mr. Jerome advised that the City had initiated an Environmental Impact Report (EIR) for the project and had hired the firm of Carolyn Mills and Associates to prepare the EIR. He noted that the California Environmental Quality Act (CEQA) required a 45-day public review period for all Draft EIRs. The intent had been within that period to allow the general public, public agencies and other interested parties to review the document relative to the impacts associated with the proposal, along with other environmental concerns that could be raised, with those concerns to be submitted to the staff for comments with response by the consultant. Responses would be incorporated into the Final EIR. The Final EIR and the Mitigation Monitoring Program would then be forwarded to the Planning Commission for consideration as well as to the City Council.

The EIR would thereafter be forwarded to the Local Agency Formation Commission (LAFCO) after the City acted on the project and assuming the project was approved, to pursue the annexation procedures through that body.

Mr. Jerome explained that the second portion of the meeting would allow the applicant to provide a brief description and presentation of the project. After this meeting, the public hearing would be closed and the project would return to the Commission after the Final EIR was completed to allow a formal public hearing on the project itself.

Mr. Jerome recommended that the Planning Commission ask questions and accept public comments on the DEIR, then continue the public comment period through March 4, 2002.

PUBLIC HEARING OPENED

PROPOSENENTS:

DARWIN MYERS, the consultant, advised that they had started working on the Draft EIR approximately eighteen months ago with the idea that the project EIR would follow the action on the City's General Plan. Information had been gathered with the consulting staff along with eight subcontractors, traffic engineers, biologists, archaeologist, meteorologists and the like to review the various issues. If significant impacts had been found, that information had been conveyed to the applicant and City staff.

The project being analyzed was for a 319-lot single family residential subdivision. Based on the impacts identified in the EIR, an alternative had been produced that had responded to geologic hazards, biologic resource issues and other matters.

Mr. Myers advised that he would listen to the comments and make notes to ensure responses to the comments received.

JOHN STREMELO, the property owner, 2762 Hutchinson Drive, Walnut Creek, described the evolution of the project in a pictorial sense.
Referencing a conceptual drawing of the project and the property site, Mr. Stremel described the inception of the project where he had started off with approximately 319 units that had been designed to utilize the site in its most complete sense with two separate entries, one on the northerly section and the other at the southerly section of the property.

Mr. Stremel identified the property boundaries with the back side adjacent to the Concord Naval Weapons Station. He noted that through the review of the EIR, they had discovered that there were sensitive issues regarding habitat corridors and wetlands. As a result, changes had been made to the project where a habitat area had been created and housing had been eliminated in that area. He noted that the lots would be a minimum of 6,000 square feet in size on 14,000 square foot lots to allow nice sized homes in the proposed subdivision. All pads would be flat to allow the construction of upscale homes.

Mr. Stremel identified the housing that had been eliminated on the site during the process of the evolution of the plan to eliminate issues associated with wetlands and various issues to enhance the habitat corridors and wetlands to allow a better project. He presented the current plan as a result of the evolution of the project, which plan now totaled 270 lots. He stated that plan now fit better into the environment and addressed the environmental issues associated with the project, including a detention basin, and to ensure that the elements of the project would work well.

Mr. Stremel stated that he was working to refine the changes made and to work on solutions to issues raised by staff regarding findings in the EIR related to the visibility of the site from a distance as one traveled along Bailey Road. He advised that an alternative had been designed in response to the staff concerns, which alternative had included a single loaded road to allow setbacks further beyond the edge of the daylight line and visibility of the roadway corridor and allowed visibility of the front of the homes as opposed to the rear of the homes from a distance. That plan was in the process of being incorporated into the tentative map as part of the evolution of the project. He was also working with staff to incorporate a park into the subdivision.

Commissioner Glynn inquired of the number of homes that would be lost under the new configuration along with a park. He also inquired of the acreage of the proposed park.

Mr. Stremel stated that he was uncertain of the exact number of homes that would be lost with the park, although it could be as many as five to seven homes. As to the park size, staff had anticipated somewhere between 1.2 and 1.7 acres of parkland. Staff had also recommended that a turnkey completed park be associated with the project. He advised that he would be working with staff to respond to those concerns and would return with an alternative for the subdivision where the Planning Commission could then elect whether or not to require a park or in-lieu fees associated with additional park improvements placed elsewhere.
Commissioner Glynn inquired whether or not the original 319 units in any way adversely impacted the biological aspects of the EIR. He questioned whether or not the various State or local organizations had been satisfied with the plan as presented at a size of 319 units.

Mr. Stremel explained that the initial 319 units had impacted habitat corridors and habitat wetlands. With the revisions that had been made, he understood that the new configuration had been satisfactory or beyond satisfactory to those agencies.

Commissioner Glynn referenced a Commission field trip of the property that had occurred several months ago and where he understood that the loss of the homes would be on the southernmost entrance along the frontage area as a result of the riparian corridor connection to the next level property. At 319 units as the plan had initially proposed, he questioned whether or not the riparian corridor issues had been resolved with a 319 unit project. As to the park, he inquired whether or not it would be deeded to the City for long term maintenance.

Mr. Stremel explained that the resolution of the wetland issues had been associated with the revised plan, which now totaled 270 units. He affirmed that a park would be deeded to the City for long term maintenance purposes.

Chairperson Homes commented that when the Commission had held the field trip to view the land there had been a new fence that had been installed from the Naval Weapons Station. He inquired whether or not there were other new fences that could be recognized at this time on the property.

Mr. Stremel advised that the fence that had been constructed was the perimeter fence of the property that currently existed and which he had constructed along with an internal corridor fence that ran along both sides. Additionally, a silk fence running around 36 inches in height had been installed as a result of biological studies in association with the State Department of Fish and Game.

With the loss of lots along the Bailey Road Corridor, Commissioner Leonard inquired whether or not there was any accessibility to adjacent property that could be phased in at a later time for an increase in project density.

Mr. Stremel stated that he was uncertain what would occur with the other property in the future and he had not planned any development in that area. He really did not want to conduct any development in that area in terms of access and soils, although soils work had been done for a tank to ensure it would be solid in terms of its location. As to access to the valley area being discussed, he reiterated that he had no intention of developing that area.
INTERESTED SPEAKERS:

RICHARD SESTERO, Project Manager, Seecon Financial Construction Co. Inc., 4021 Port Chicago Highway, Concord, advised that Seecon owned the adjoining property located to the west of the Bailey Road Estates property. He submitted correspondence to the Commission dated February 12, 2002 in response to the Draft EIR.

Mr. Sestero stated that most of the concerns raised in the correspondence were minor in nature. Referencing the alignment of San Marco Boulevard (Bailey Bypass), he pointed out that there were two different alignments shown. One alignment that had been shown in the Draft EIR and the alignment Seecon was of the belief was the correct alignment for the roadway were displayed on a conceptual map.

Mr. Sestero noted that Seecon was currently developing the San Marco project and were nearing the completion of the road at the southern end of San Marco. He commented that studies had been done beyond that point to continue the alignment in a way that made sense to avoid major hillsides, sensitive areas and to tie back into Bailey Road, although the Draft EIR had identified a different alignment which had tied into Bailey Road to the north of the site.

Mr. Sestero suggested that the alignment shown in the Draft EIR did not make physical sense. He commented that at the mid-point of that alignment was a major hill that would involve a cut of 260 feet in depth to have the road to a point where it would be manageable at a 9 percent slope. If the road were designed in that fashion, it would have slide slopes of approximately 800 feet in width. He suggested that the alignment had not been adequately evaluated as to whether or not it was viable or physically realistic.

Mr. Sestero also presented the Commission with copies of the City's General Plan regarding Policy 2-P-85 for the Southwest Hills. He read the policy into the record and emphasized the importance of the alignment of the road to be brought to the south so that it could be physically constructed. In addition, as it tied into Bailey Road it was at a curved location and from a safety standpoint was not a good place to tie in. If the alignment were shifted, it would come to a point that would make more sense and could include a signalized intersection that would be safe, while also providing a good access point to the residents of the project onto Bailey Road.

Mr. Sestero further referenced Page 4.4.34 of the Draft EIR regarding Mitigation Measure 4.4-6. He read into the record the mitigation measure as written, noting that Seecon was of the opinion it was important that mitigation measure be included so that the ultimate road design coming through the area would make sense in terms of economics as well as safety.

Further, Mr. Sestero referenced the Draft EIR section on Waste Water and suggested that
it appeared as if the downstream sewer for the project had not been completely studied. He explained that Seecon had developed in the area for a number of years and from the Bay Point/Pittsburg BART Station area, the sewer traveled east along the freeway to a pump station and then through a forced main, ultimately up to the Delta Diablo trunk system north of the freeway. That system had been installed in the early 1970's under the 1971-1 Pittsburg West Assessment District. The properties that had paid for that sewer system had a vested right to it and it was important that the project sewer system be analyzed to ensure if or how it should be upgraded.

Mr. Sestero also understood through the review of the Draft EIR that the project might not have adequate water capacity, although that had not been adequately studied. He requested that the items of concern, as provided in writing by Seecon, be considered and be incorporated into the document.

WARREN SMITH, a resident of Pittsburg, identified his property lines to the north of the subject property where he owned 100 acres. He stated his objection to the concentration of water being dumped onto his property. He otherwise had no objections to the increased tax base for the City and while he liked to see people have new homes to move into, he expressed his objection to the City's action in the prezoning in that when he had annexed his 100 acres into the City, no one had offered him any alternative beyond open space zoning.

Mr. Smith suggested that had been an exercise in police powers and that the City was treating similarly situated people differently. He suggested that whatever action the City was to take would be questioned, particularly if there was a grant of single family zoning for the property when the same had been denied for his property.

In response to some of the concerns raised by Mr. Sestero, Mr. Stremel expressed a willingness, through Mitigation Measure 4.4.6, to work with staff and Seecon to work out an access that was deemed to be viable.

Mr. Jerome affirmed that staff had been working on some of the redesign issues that had been referenced, including the park and road alignment. He explained that many of the issues related directly to the General Plan. He noted that the design for single loaded streets and flag lots had been recommended by staff in order to comply with new policies defined in the General Plan. The General Plan had also identified a park site on the property both in terms of need and since General Plan policy stated in part "all residents should be in a reasonable distance from a park."

Mr. Jerome advised that staff would be looking at the size of the park and the fact that a smaller park that was fully developed by the applicant with in-lieu fees or a portion of a development park might be considered.

As to the San Marco Boulevard alignment, Mr. Jerome described the alignment identified in
the General Plan. He noted that while the Seecon alignment reflected a more physical development of the road, it had not been legally allowed at the time of the preparation of the General Plan due to restricted easements which did not allow any development or road. The General Plan had stated that if the easement were to be eliminated, the City could consider a realignment of the road. The intent of the General Plan statement was to call for a Bailey Road Bypass that would connect the Bay Point Interchange on State Route 4 with the upper portion of Bailey Road.

Mr. Jerome stated that staff was working with Mr. Stremel to have that road somehow logically terminate on the western edge of his property. Only until such time as the easements were removed could that occur.

Mr. Jerome otherwise reported that the public comment period would terminate on March 4, 2002. He clarified that no action was required by the Commission at this time. The sole purpose of the hearing was to take comments from the Commission and the general public for response by the consultant and for the preparation of the Final EIR.

Speaking to Bailey Road and the main entrance proposed for the project, Commissioner Garcia noted that Bailey Road was well traveled and narrow. By adding the homes, he presumed that the current intersection to the main entrance to the project would have to be redone with a north left turn lane movement that would have to be signalized. A separate right turn lane in and out movement would also have to be considered, in addition to two good lanes that would run north and south in each direction.

Commissioner Garcia also commented that the Draft EIR for the Alves property had stated that there would be insufficient drinking water available for the project and that the Draft EIR for the subject project had recommended that a line be run all the way to the City's Water Treatment Plant.

Commissioner Glynn inquired of the location of the park site on the subject property, to which Mr. Jerome explained that it would essentially be located in the proximity of the southerly entrance road in the interior. He affirmed that as planned, the park would consume some of the lots currently scheduled for build out.

Commissioner Glynn questioned why the park could not be situated on the northern end of the property, and Mr. Jerome advised that for the most part the northern end of the property was a wildlife corridor. As stated, the initial 319 unit subdivision had been modified to preserve a habitat corridor.

Commissioner Glynn again referenced the northerly area and commented that it appeared as if there was sufficient space to construct a park in that area, which would be closer to the center reducing the number of lots available for construction.

Mr. Jerome explained that the northern portion of the site was a fairly steep gully area with
the homes currently situated on the right on the northern portion located on the knob of the hill.

Commissioner Glynn referenced the termination of the Leland Road Extension and questioned where it would exit onto Bailey Road.

Mr. Jerome identified the southerly entrance road that teased into the middle of the property. He identified another road to the right, where the Leland Road Extension would extend parallel to that and tie into and about the right/north section of a stub street. He reiterated that the public comment period would be open for the next 45-days to receive written and verbal comments on the Draft EIR.

Chairperson Holmes declared a recess at 8:21 P.M. The meeting reconvened at 8:30 P.M. with all Commissioners present.


Application by John Tomasello of Mill Creek Development requesting approval of a tentative map to subdivide 16.23 acres into six parcels and approval of an amendment to zoning regulations of the Limited Overlay Zone (Ordinance 92-1043) to allow a self-storage facility and an extended stay hotel. The Applicant is also requesting approval of a use permit and design review to construct a 192,000 square foot self-storage facility; a use permit and design review to construct a 101-room extended stay hotel; a use permit and design review to construct a 2,400 fast food restaurant with drive-through service; a use permit and design review to construct a retail gas station with a car wash and a 3,000 square foot convenience store; and design review to construct a 93,000 square foot research and development/office complex on a site located on the north side of California Avenue and west of Loveridge Road, in a CS-O (Service Commercial with a Limited Overlay) zone; APN 073-190-017 and 073-190-024.

Assistant Planner Dana Hoggatt presented the request from John Tomasello of Mill Creek Development requesting approval of a tentative map to subdivide 16.23 acres into six parcels and approval of an amendment to zoning regulations of the Limited Overlay Zone (Ordinance 92-1043) to allow a self-storage facility and an extended stay hotel. The Applicant is also requesting approval of a use permit and design review to construct a 192,000 square foot self-storage facility; a use permit and design review to construct a 101-room extended stay hotel; a use permit and design review to construct a 2,400 fast food restaurant with drive-through service; a use permit and design review to construct a retail gas station with a car wash and a 3,000 square foot convenience store; and design review to construct a 93,000 square foot research and development/office complex on a site located on the north side of California Avenue and west of Loveridge Road, in a Service Commercial with a Limited Overlay Zoning District.
Ms. Hoggatt explained that the project would be bordered on the east by Praxair and on the west by the Martin Luther King Jr. School and would front California Avenue and State Route 4. Further south of the project site were located large light industrial businesses including G & K Commercial Laundry and a food distributor. The proposed uses included an Extended Stay hotel, a fast food restaurant, a gas station, another restaurant yet to be identified, a self-storage facility and a light industrial/office complex.

Under the new General Plan, the designation of the site was Business Commercial, a commercial site designated for a variety of commercial uses, including service and visitor oriented types of uses incorporating professional and industrial uses, some limited manufacturing and light assembly types of uses. The uses being proposed as part of the project were consistent with those uses outlined in the General Plan.

The zoning designation of the site was Service Commercial with a Limited Overlay with the restaurant, gas station, and hotel all conditionally permitted uses in the present CS-O zone. The applicant had requested an amendment to the CS-O overlay zoning designation to add uses to the schedule of permitted uses for the overlay district in order to eliminate uses that staff and the developer had agreed would not be appropriate for the location and to add restrictive language on the operation of the hotel, including modifications to the maximum height, Floor Area Ratio (FAR) and minimum parking for self-storage facilities.

Ms. Hoggatt identified Parcel 1, located at the northwestern corner of the site closest to the Martin Luther King Jr. School, which had been designed for an Extended Stay hotel and which involved both a use permit and design review applications. The applicant's plans included an Extended Stay America hotel prototype consisting of a beige building with green trim, pitched roof, three-stories and 101 rooms. As proposed, the plans for the hotel building met current code in terms of setbacks, parking requirements and lot coverage. The maximum height of the building measured to the mid-point of the roof was 36 feet. Currently the CS-O zone allowed a height of 35 feet where the overlay amendment would allow an amendment of the maximum height from 35 to 36 feet.

Parcels 2 and 3 were located east of Parcel 1 and fronted California Avenue and had been designed for a Jack in the Box fast food restaurant and Chevron gas station, and involved use permits and design review. As proposed, both uses met all zoning standards of the CS-O zoning district in terms of setbacks, lot coverage, FAR to site area ratio, parking and maximum height. The Jack in the Box building would consist of a white building with red accents, red awnings and red trim along the cornice and entryways. The Chevron gas station would be a beige building with a red entry and flat roof with a roof accent over the entry.

Parcel 4 also fronted California Avenue and had been slated for another restaurant, although another tenant had yet to be identified. Parcel 5 located west of Praxair had been designed for a self-storage facility.
Ms. Hoggatt suggested that the self-storage facility would be an appropriate use since it would be located immediately adjacent to Praxair and would be a low occupancy use with a low population in the building at any given time, and due to the potential hazards generated by the proximity to Praxair. The self-storage facility would require additional amendments to the overlay zone. The maximum FAR and site area ratio as existing was 0.75. The self-storage facility would have an FAR to site area ratio of 1.0, in a 192,000 square lot and 192,000 square foot building. The increase in FAR would be necessary to allow the facility to be built as a two story structure and allow it to be both a visual and structural buffer between the commercial development and Praxair.

The zoning amendment would also address parking for the self-storage facility where the current Municipal Code required one parking space for every 2,000 square feet of building space. Since little traffic would be generated by the use, the requirement was a bit excessive. As such, staff recommended that the parking be as proposed for one parking space per 20,000 square feet of building area.

Parcel 6, the rear southernmost parcel of the subdivision, had been slated for an office/research and development and light industrial complex consisting of four single story buildings, each ranging from 20,000 to 25,000 square feet in size. As proposed, the parcel would address all of the existing overlay development regulations in terms of landscaping, setbacks, maximum height and FAR. Parking would be adequate as proposed, although staff had recommended that some of the parking stalls along the southernmost boundary and along the northern boundary of the parcel be built as landscaping and be developed into parking, as needed and as users were identified in the research and industrial buildings.

In terms of drainage and utilities, it was noted that services would be provided on site and the developer would construct some utility improvements, sewer lines and drainage lines.

Ms. Hoggatt advised that a Traffic Study had been prepared for the project. She acknowledged that there would be some on and off-site improvements necessary to accommodate the project. The developer would be required to dedicate a certain amount of right-of-way along the California Avenue frontage to allow California Avenue to be widened to four lanes, a long term plan of the City.

Ms. Hoggatt also reported that no signs had been proposed at this time and the developer would be providing an application for a Master Sign Program and a freestanding sign at a later date.

Ms. Hoggatt further reported that the project was not exempt from CEQA requirements. A Mitigated Negative Declaration had been posted on January 11, 2002 to allow for a 30-day review period by the State.
Comments had been received on the document including correspondence from the applicant's attorney, Mark Armstrong, dated February 12, 2002, who had requested that some changes be made to the Mitigation and Monitoring Program of the Mitigated Negative Declaration. In response to the recommended changes, the intent of the Mitigated Negative Declaration would not change, although the language would change.

Ms. Hoggatt reported that staff was of the opinion that the proposed changes would be appropriate. She recommended that the Commission adopt the Mitigated Negative Declaration with the changes proposed by Mr. Armstrong.

It was also noted that the developer had requested, and staff had agreed, that it would be appropriate to amend the applications to allow the permits to be valid for a term of two years, instead of one year, following final approval of the Subdivision Map due to the size of the project.

Ms. Hoggatt referenced the proposed resolution for the approval of the subdivision and reported that the developer had requested an amendment to the language proposed for Condition No. 28 of Resolution No. 9290 for the tentative map, which should include a sentence at the end confirming that the execution of the Deferred Improvement Agreement for the improvements described in Condition 28 would satisfy the developer's obligations to mitigate the traffic impacts described in Condition No. 24. She reported that staff was in agreement with that request.

In addition, the Tentative Map had shown the California Avenue required frontage dedication to Caltrans, which should be corrected to reflect that the dedication would be to the City of Pittsburg for the future widening of California Avenue.

Ms. Hoggatt advised that the project had been publicly noticed on February 2, 2002. She recommended that the Planning Commission adopt Resolution No. 9289, adopting the Mitigated Negative Declaration and requested revisions, and approving RZ-01-02, and that the following resolutions be adopted:

- Resolution No. 9290, Approving Subdivision 8587
- Resolution No. 9291, Approving UP-01-19 (Extended Stay)
- Resolution No. 9292, Approving DR-01-43 (Extended Stay)
- Resolution No. 9293, Approving UP-01-20 (Jack in the Box)
- Resolution No. 9294, Approving DR-01-44 (Jack in the Box)
- Resolution No. 9295, Approving UP-01-21 (Chevron)
- Resolution No. 9296, Approving DR-01-45 (Chevron)
- Resolution No. 9297, Approving UP-01-23 (Self-Storage)
- Resolution No. 9298, Approving DR-01-32 (Self-Storage)
- Resolution No. 9299, Approving DR-01-33 (Office/R&D)

Commissioner Garcia referenced the intersection on California Avenue as one exited the
freeway and as one traveled west on California Avenue where there were two on-ramps for the freeway and only one lane that went straight through. He requested clarification on the future widening of California Avenue. He also expressed concern with the entrance to the self-storage facility, as proposed, which would involve a right/right turning movement. Unless another right/right lane turning movement was added to allow merging into the other two lanes, two more lanes would be needed plus the existing lane to allow a right/right turning movement into the self-storage area. He suggested that the entrance to the self-storage facility be taken off of California Avenue and be placed elsewhere.

Ms. Hoggatt acknowledged that both entrances were a right turn in/out movement and that Commissioner Garcia's recommendation was something with which the developer would have to agree.

Commissioner Glynn stated that he had requested information during the last meeting as to the content specificity of the Praxair proposed expansion with respect to potential hazards that might impact the subject proposal. While reviewing the description of the proposed expansion of the Praxair expansion, he suggested that it would fall into the hazardous zone. He expressed concern since it would be contiguous with the self-storage facility to be located on Parcel 5, particularly since one of the buildings would back up to the proposed Praxair expansion. While he recognized that staff had indicated that the occupancy would be low, he questioned why any occupancy would be allowed given that the building was to function as a buffer zone between the expansion of Praxair and the subject facility.

Ms. Hoggatt reiterated that the office building referenced would have limited occupancy to the extent that its use would be very minimal.

Commissioner Glynn commented that the building referenced had been identified as an accessory office. He reiterated his concern with having an accessory office in that specific building that far into the storage facility area. He suggested that it be located elsewhere and not in a building immediately adjacent to Praxair.

Mr. Hoggatt advised that the office building would be located in the building closest to Parcel 4 on the northwest corner of Parcel 5.

Commissioner Glynn emphasized the need to consider the risk potential and magnitude with the building relative to Parcel 5 and anything else that would be contiguous to the Praxair expansion being proposed before anyone was located in an office space that could be occupied most of the day. In his opinion, if the building were to be a true buffer zone, it would not be a good idea to have dead storage between them and an occupied facility.

Commissioner Harris inquired whether or not Caltrans would be making any changes to that portion of State Route 4.
Ms. Hoggatt advised that changes to the interchange would be conducted by Caltrans, although she was uncertain of the timeframe for that work. As to the dedication of public right-of-way to the City, she was also uncertain of the exact dimensions that would be dedicated to the City, although the Harbor Street Improvement Project should be completed by late 2003. She acknowledged that staff had had the opportunity to see some plans from Caltrans where some improvements included additional lanes on Loveridge Road and California Avenue. Based on the traffic study she had evaluated with the additional lanes, the Level of Service (LOS) at the intersections would be brought to a Level of C, on a scale of A to F.

Commissioner Harris expressed concern with the existing traffic conditions and the increase in traffic as a result of the development. He was particularly concerned with the entrance to the hotel and suggested more information be provided on Caltrans' plans.

Commissioner Harris questioned whether or not an entrance could be provided on the rear parcel where the hotel would be situated, where another road in the rear of the self-storage area could be utilized eliminating the entrance on California Avenue. He suggested that the siting of the hotel should be flipped over with the entrance on the other side of what had currently been proposed.

Ms. Hoggatt noted that such a configuration might be possible, although it might require an easement to conduct such a configuration and would result in the reconfiguration of the buildings.

City Engineer Wally Girard clarified that the City was working with Caltrans, the Contra Costa Transportation Authority (CCTA), the Pittsburg Unified School District (PUSD), Tri-Delta Transit and other agencies to address detours that would be needed as a result of the upcoming State Route 4 improvements. He noted that two traffic consulting firms had evaluated the subject proposal, including the CCTA and Caltrans. Both had indicated that the first submittal for the project would involve an unacceptable LOS based on the original traffic report that had been prepared based on 2025 traffic projections, with no additional lane.

Once the additional lane had been evaluated with a 2030 projection, even with a right in/out movement on the two ancillary driveways, it would result in an acceptable LOS B and C. Both Caltrans and the CCTA had concurred with the findings that the project would work with one additional lane while still providing an acceptable LOS.

Mr. Girard otherwise expressed the willingness to review the traffic again, if the Commission so directed, to ensure that the LOS was indeed acceptable.

Commissioner Harris suggested that an Ad Hoc Committee of the Commission be created with the developer to review the proposal since that had not been done prior to the submittal of the project to the Commission. He suggested that would allow many of the...
concerns that had been raised to be addressed.

Mr. Girard reiterated that the project had been reviewed by staff, the CCTA, Caltrans and the developer’s staff and traffic consultants from the technical aspect of the traffic circulation.

Commissioner Harris commented that the project should take into consideration the existing traffic conditions on both Loveridge Road and California Avenue.

Mr. Girard recognized that over the next couple of years the City would be faced with some traffic constraints as a result of the plans to widen State Route 4 through Caltrans, although those issues were not related to the subject application.

Commissioner Glynn referenced correspondence from Susan Miller of the CCTA dated February 7, 2002, which had been included in the Commission packets, and which had been generated as a result of numerous meetings to address concerns the CCTA had with the project. He inquired of staff whether or not most of the issues would be resolved with the cooperation of the CCTA and Caltrans, particularly with respect to the width of the road from the Loveridge Road intersection to Diane Avenue.

Mr. Girard affirmed that most of the issues would be resolved as suggested.

Commissioner Glynn expressed concern with access to the rear road on the property in that on the Pittsburg/Antioch Highway access to the rear lot offered no access from that end of the project. As a result, any further development of the land behind the project would have to travel down the two lane road adjacent to the Martin Luther King Jr. School, and in some cases the roadway was not wide or heavy enough to accommodate possible light industrial truck traffic. He referred specifically to the corner for right turn movements, which would run parallel to the school property.

Mr. Girard reiterated that the subject project had no control over that roadway.

Commissioner Glynn pointed out that the project would impact the rear roadway, and Mr. Girard suggested that if the property to the rear was developed in the future and if that property owner desired to utilize that roadway, that situation would have to be evaluated and addressed at that time.

Commissioner Glynn noted that if the current landscaping scheme was installed, as proposed by the developer at a 20-foot roadway width, once the additional lanes were added to that area the landscaping would have to be removed and redone.

Commissioner Glynn suggested that the plan be reviewed to possibly provide a larger
setback so that a third lane or wider road could be constructed on that property, which would impact the subject developer.

Mr. Girard clarified in response to the Chair, that the City planned to add one additional lane to California Avenue starting along the frontage of the subject property. No residential properties would be involved in those widening improvements.

Commissioner Garcia commented on his understanding that the rear roadway would be improved to City standards so that the City could take the roadway, to which Mr. Girard affirmed that possibility had been discussed, although the subject property owner did not own that rear property.

Mr. Jerome clarified that the map had shown an 80 foot right-of-way to be dedicated to the City per the Tentative Map. A cul-de-sac located to the rear was already situated on City property previously acquired. He also identified two roads, one leading to G & K Laundry Services and the other to a printing business, both of which would be redesigned as driveway cuts. He suggested that the applicant could provide some clarification in response to the Commission’s concerns.

PUBLIC HEARING OPENED

PROPOSITIONS:

MARK ARMSTRONG, Gagen, McCoy, McMahon & Armstrong, 279 Front Street, Danville, identified himself as the attorney representing the developer, Mill Creek Development. He took the opportunity to introduce the project development and design team and the tenants present in the audience. He noted that the issues the Commission was discussing were the same that the developer had been discussing with staff and other officials for resolution.

As to inquiries regarding the rear roadway, Mr. Armstrong commented that the roadway was located on the developer's property who had agreed to make that roadway into a public road and provide for the appropriate widening of the property, details of which had been identified on the Tentative Map.

Mr. Armstrong explained that it was important from the developer's perspective for the self-storage facility to have some access and direction from California Avenue in terms of visibility and marketability, which was critical for the development. He noted that the designs had shown the project with attractive landscaping and architectural treatment in the frontage so that the facility did not appear as a self-storage facility from the front of the property.

Mr. Armstrong advised that the number of trips to the self-storage facility would be
relatively small. He suggested that the plan, as proposed, and as indicated by the traffic engineers, would be viable. The property had not been developed for a number of years, although there had been some interest from potential developers. He suggested that this was the first time the City had been presented with a comprehensive plan for the site and he complimented staff on the level of detail and review to ensure that the different uses worked together effectively, in terms of parking, access, architecture, site planning and the like.

Mr. Armstrong stated that the developer looked forward to developing the site over the next few years consistent with the use permit and design review applications that had been proposed. Again referencing the self-storage facility, he advised that it would be 192,000 square feet in size in terms of gross square footage, with the net rentable area around 130,000 square feet in size.

Mr. Armstrong also advised that the developer otherwise supported the staff recommended conditions, in addition to the minor changes that he had recommended as reflected in his correspondence dated February 12, 2002. He emphasized the importance of allowing the project to move forward since the developer had time constraints in terms of its contractual relationship with the landowners. He looked forward to addressing the Commission's concerns at this time to meet those constraints.

Commissioner Harris commented that the Commission had considered previous proposals for self-storage facilities in the community which the Commission had not supported. He did not support more self-storage facilities, noting the number of existing facilities in the community and noting that existing facilities were not at full occupancy.

Commissioner Harris stated that if he were to support the project, he would require that the roadway go behind the building in response to the existing traffic conditions on California Avenue. He pointed out that the developers did not reside in the City, as did the Commission and the residents of the area. He emphasized that the City had been used as a shortcut by other communities. As a long time resident of the subject area, he noted his experience with the traffic in the area.

Mr. Armstrong recognized the concerns expressed and acknowledged that staff had raised the same concerns during the application process. From the various technical reviews, he suggested that the project would work. He noted the need to make the self-storage facility from California Avenue not appear as a storage facility. He suggested that the architectural treatment and situation of the buildings on the property would ensure that the facility would not be apparent as a storage facility. He also understood that a substantial amount of older self-storage facilities would be eliminated as part of the future widening of State Route 4. He advised that the developers were confident that as the property was
developed and maintained, the storage facility would be an attractive part of the center.

Mr. Armstrong also advised that the project was a real project in that they had real tenants that wanted to occupy the site over the next few years. He emphasized that the developer had worked to accommodate many of the staff concerns, many of which had also been raised by the Commission.

Chairperson Holmes inquired whether or not the applicant was aware of the occupancy rates at the existing self-storage facilities in the City.

Mr. Armstrong noted that the Commission had been provided with correspondence in the staff report which had indicated that there would be over 100,000 square feet of storage facilities in the City that would be removed as part of the State Route 4 widening improvements. From the developer’s research, it had also been indicated that their proposed self-storage facility would be well utilized. He commented that the site would not develop with the other uses on it without a serious structural buffer from the Praxair property. He suggested that the self-storage facility at two stories would provide that buffer.

Commissioner Garcia acknowledged that he too had opposed previous proposals for self-storage facilities in the community, although in this instance he agreed that it would serve as an attractive buffer from the Praxair facility. He also understood that as a result of the future State Route 4 widening plans, two storage areas located on the south side of the freeway between Loveridge Road and Harbor Street would be impacted. He otherwise suggested that the main entrance for the hotel was facing the wrong direction and that the main entrance should face the east elevation.

Commissioner Garcia referenced the Motel Six on Railroad Avenue which had experienced security problems and which now had a wrought iron fence around the property and was manned with a security guard. While he was uncertain that the same problems would occur on the subject site, he suggested that security be taken into consideration. He also suggested that the adjacent roadway be walled off for security reasons.

Commissioner Harris inquired whether or not the property was being purchased contingent upon approvals from the Planning Commission, to which Mr. Armstrong affirmed that was the case.

JOHN TOMASELLO, Mill Creek Development, LLC, 52 Madrid Place, Suite 200, San Ramon, advised that they had conducted a survey of the State Route 4 condemnations and had identified three existing self-storage facilities that would be impacted by those improvements, totaling 160,000 square feet. He explained that the proposed self-storage facility would not replace what was being lost as a result of those improvements.

Commissioner Glynn expressed concern with the Kirker Creek Watershed and any storm
drains that might be designed to empty into the subject area, including any surface runoff from the project that could end up in Kirker Creek which was contiguous to the property. He questioned how those issues would be addressed by the developer.

Mr. Armstrong acknowledged the concerns noting that the storm drainage would be provided with an alternative to dumping into the Kirker Creek Watershed.

Commissioner Glynn stated that he would request an amendment to the project conditions to state that no dumping of storm water or surface runoff would occur into Kirker Creek as a result of the construction of the project.

Mr. Tomasello explained that when they had started the project they had every intention of tying into the school. Due to delays with the Kirker Creek project, they had redirected the flow to a natural flow from the property. In working with their neighbor and the City Engineer, there would be no flow into Kirker Creek. All measures would be taken to ensure that no runoff would be directed into Kirker Creek.

BROCK GRAYSON, Project Architect, 5000 Executive Parkway, San Ramon, walked the Commission through the project site plan. He advised that the project had been designed for the hotel user who desired high visibility and desired to be placed in the corner to be most visible. All alternatives had been considered for the entrance for the hotel and a structural buffer would be provided from the adjacent Praxair facility.

Mr. Grayson advised that Chevron, Jack in the Box and the other restaurant user yet to be identified, had intended to be close to California Avenue to have access to the public. The self-storage facility had been designed to ensure that any impacts would not negatively impact California Avenue. Through the rotation of the storage buildings north and south, there would be a limited facade on California Avenue. An entry at the rear and side had been evaluated, although through a review of the circulation of the project, it had been determined that it would be more appropriate for the office to be located up front to allow users to easily find the facility.

Mr. Grayson noted that the research and development buildings had been designed to create a campus appearance. The first building would view onto the road with the two interior buildings facing each other. The last building would face a landscape buffer. A wall to be located to the rear of the self-storage facility would reflect the architecture of the research and development buildings.

Mr. Grayson explained that the research and development buildings had been designed with a clean facade and modern design. Having been presented to staff, staff had responded with comments and a request for a different color scheme based on another project staff had viewed in another community.
Some of the elements staff desired had been incorporated into the building design, consisting of a concrete tilt up building, with the facade broken up with glass and punched openings. Relief to the building mass would also be provided through the use of recesses at the top creating a ridge for the parapet, broken facades at the entry, with raised glass and a monolithic piece to bring attention to the building entrance.

Mr. Grayson also noted that the height of the building had been stretched out, with architectural lighting having been introduced throughout the project and at the entrance to enhance the feel of the campus appearance. Speaking to the architecture for the self-storage facility, the concept had been for the office space at the front to reflect the architecture of the other buildings also creating a campus appearance.

BILL GRAY, William Gray Company, 1820 Bonanza Street, Walnut Creek, advised that his role in the project had been to coordinate access issues off of California Avenue. He noted that Caltrans and the CCTA had a funded project to widen State Route 4 and would be commencing with the Harbor Street overcrossing and the Railroad Avenue Interchange improvements in the very near future. The next project would be the Loveridge Road Interchange which was in the beginning of the environmental review stages. The developer had been encouraged to work with Caltrans and the CCTA concurrently to ensure that the project would be coordinated with all options in terms of the future plans for the Loveridge Road Interchange. Focus had also been requested on the main entrance opposite the ramps.

Mr. Gray commented on the difficulties in the process due to the Caltrans and CCTA projects. He noted that the developer's traffic engineer had prepared a traffic study, consistent with the CCTA modeling, which had concluded that the LOS for the project in 2030 would be a LOS C or better. The entrance with the model used by Caltrans for the State Route 4 project had shown a LOS B in the morning in front of the entrance.

Mr. Gray referenced Exhibits A, B and C included in the staff report which had been prepared to illustrate the project plans to staff and the CCTA and to interface with the project. Exhibit A involved the conceptual plans for the project that the CCTA and Caltrans were pursuing. Another alternative involved an isolated ramp near the Burger King Restaurant on the other side, which had not been preferred by City staff. The preferred alternative had been to leave the ramps in the current configuration which was still going through the Caltrans environmental review process.

Mr. Gray explained that their engineer had superimposed plans from the CCTA onto the site plan, which had visualized their project plans and which had shown the need to make the driveway into the self-storage facility and by the hotel a right turn in/out movement, with concrete medians in the roadway to prevent any left turn movements. In addition, it had shown the need to add full shoulders and an additional through lane in the westbound direction.
Mr. Gray stated that Exhibit B had identified the improvements that would be required of the project if the CCTA and Caltrans did not proceed with their project, although they were optimistic that Exhibit A would prevail. Exhibit C identified the existing circumstances with no additional lanes, no additional widening and some interim improvements.

Mr. Gray commented that it did not make sense at this time for the developer to physically build the improvements. As a result, the project conditions of approval had called out for a Deferred Improvement Agreement. He noted that they had been speaking with the CCTA and had asked them to build the improvements, with the developer advancing some funds to satisfy its obligations under the Deferred Improvement Agreement by allowing the CCTA to construct those improvements. The developer would install a protected left turn pocket, driveways and adequate widening of shoulders to turn in/out of the project on an interim basis.

Mr. Gray advised that the CCTA project was currently scheduled for construction within two to three years dependent upon the environmental review process, although the project had been fully funded with construction anticipated in early 2004/2005. Referencing the correspondence from Susan Miller of the CCTA, which had been earlier referenced, he suggested that correspondence clearly articulated that "at the meeting it appeared the developer would be able to address all concerns to the conditions of approval that the City would place on the project."

Speaking to the self-storage facility, Mr. Gray advised that both the CCTA and Caltrans had raised issues relating to traffic in/out of that location since it was an area between two major intersections. He stated that the traffic volumes in/out, even under the worse scenario, had been determined to be around 35 vehicles an hour in/out of the driveway.

All of the project traffic engineers had agreed that it probably overstated the amount of traffic that would be generated and that most of that traffic would be generated on Saturday mornings or weekends. The peak hours of the self-storage facilities would not be the same as the peak hours for the commute traffic periods.

Commissioner Harris commented that if they were to allow the self-storage facility, others that had been denied in the past might question the Commission's action. He reiterated his concern with the existing traffic conditions and with potential safety hazards on California Avenue, which was already heavily congested and which would be further exacerbated by its proximity to State Route 4.

Commissioner Garcia recognized the problems with moving the access of the self-storage facility to the back of the structure since the developer did not own enough property to provide the amount of required parking. He suggested that if the shoulder were widened enough it could accommodate a right turn movement into the self-storage facility. He would be willing to lose some landscaping in front of the facility to allow such modification. Mr. Gray suggested that the shoulder was wide enough to accommodate such traffic.
movements. He expressed the willingness to possibly eliminate parking on that side which might resolve many of the issues. He noted that at the point where the driveway was located with two left turn and two through lanes, there was a four lane wide section, plus a shoulder. He reiterated that the traffic volumes to the self-storage facility would be low with adequate site distance.

Mr. Tomasello advised that the developer would be more than happy to work with staff to resolve the concerns. He did not prefer access to the rear of the project since the intent had been to design an upscale project. He otherwise expressed the willingness to work with staff to provide a safer entrance and exit.

Commissioner Leonard inquired of the original color scheme the architect had proposed for the self-storage facility and research and development buildings prior to the staff recommended revisions, to which Mr. Grayson advised that the original color scheme for the research and development buildings and the storage facility had involved darker tan and earth tone colors at the base of the buildings, with a blue accent.

Ms. Hoggatt advised that staff had a color rendering which identified the original colors that had been proposed and which could be presented to the Commission.

XONIE LLOYD, G & K Services, Rancho Cucamonga, inquired of the processing for the project. He inquired whether or not this would be the last time the public would have the opportunity to make comments on the proposal. As to the project rezoning request, he commented that most of those who purchased property in industrial zoned areas were aware that they would be surrounded by like businesses and interests. He wanted assurance that the adjacent uses would be appropriate as compared to the existing industrial users.

Mr. Jerome explained that the public hearing before the Planning Commission had been for the various use permit and design review applications, although a public hearing would also be required before the City Council as well if the project were approved by the Commission at this time. The Council’s public hearing would focus on the request for an amendment to the current zoning regulations. The underlying zoning designation for the property was Service Commercial, although an overlay had been placed on the property as a customized zoning for the site, which had been done years ago in order to consider restaurant uses and other highway commercial uses considering the property’s proximity to the highway interchange. The request for an amendment to the overlay had been proposed specifically for the self-storage facility, which had been designed primarily as a buffer to the adjacent industrial users, such as Praxair.

Mr. Jerome recognized that G & K Services was an industrial user and would transition with the office and research development buildings.

Mr. Lloyd stated that G & K Services was not opposed to the project, although he
expressed concern that G & K Services and their adjacent industrial neighbor would have similar concerns. G & K Services was in the textile industry and rented, leased and sold uniforms to other companies. The company washed those garments and print towels for those companies and had rollers, printers, ink machines, and the like. Those towels were taken in and processed by the business. Oftentimes the towels were filled with solvents and in the cleaning process the solvents would be removed through the use of a solvent tank, which was situated adjacent to the subject property line.

Mr. Lloyd commented that at times the items could spontaneously combust. As such, there was a need for a buffer or a parking space between the proposed buildings and the adjacent industrial businesses. He clarified that on occasion the towels and such combustible items were stored overnight consistent with a fire emergency plan. As to the access to G & K’s property, he stated that they had semi-trucks coming into their property on a regular basis and suggested that should be considered since the way the hotel had been situated on the property, patrons of the hotel could view that truck traffic. As a result, he agreed that the entrance to the hotel should be reversed.

Mr. Lloyd further agreed with the concerns expressed regarding the existing traffic conditions on California Avenue and the difficulties with making a left hand turning movement during commute periods. He suggested the consideration of a traffic signal. In addition, he noted that the entrance to the project should be wide enough to accommodate a semi truck. Referencing the offices at the rear of the site, he inquired of the access point to that use.

Mr. Tomasello advised that there would no separate access point to the rear building other than trash disposal access. He affirmed that the building had been offset to accommodate a fire tuning radius and noted that he had met with the G & K Services Plant Manager a few months ago at which time he had affirmed that as part of the right-of-way dedication to the City, the developer would be required to widen the existing street 40 feet at the throat as part of the traffic report.

STEVE FORSGREN, Real Estate Manager, Extended Stay America, West Sacramento, identified the hotel site in the project. He advised that Extended Stay America was a businessman’s hotel with sites along the I-680 corridor in the cities of Dublin, San Ramon, Pleasant Hill, Livermore and Richmond, with 23 locations in the Northern California area, and with 532 hotels overall in the nation, including some Studio Plus brand hotels. The hotel facilities would not have amenities such as swimming pools and did not attract vacationers and similar travelers. The facility attracted business people who needed a facility with a typical three night stay.

Mr. Forsgren advised that the entrance to the hotel had been situated to allow views of the existing school versus views towards Praxair and the driveways to the restaurant and gas station.
Mr. Forsgren acknowledged that the orientation of the building could be revised if the Commission so directed, although he preferred the current orientation.

Commissioner Garcia suggested that the entrance to the hotel be reversed as previously recommended. He also noted that the semi truck traffic referenced by G & K Services emphasized the need for a masonry wall along the property line.

Mr. Forsgren reported that the hotel would be three stories in height which could not be completely buffered by a masonry wall.

Commissioner Garcia suggested that a masonry wall would provide some security. He also preferred that traffic to the hotel exit where the signal light was located rather than increasing the left turn lane traffic movement. He suggested that the hotel entrance would dictate where the traffic would access the site.

Mr. Forsgren stated that it had been anticipated that the bulk of their guests would go towards the traffic light. He also clarified in response to the Chair, that Extended Stay America’s rooms included a kitchenette, full sized refrigerator, stove and silverware, allowing the guests the ability to save on having to go out for meals. Computer access was also provided in the rooms. He also clarified that the developer had brought all of the tenants together for a good mixed use.

Mr. Jerome explained that the hotel issues had been a concern of staff since the facility could become an apartment complex, which was something the City would not support. That had been another reason for the overlay zone for the hotel and the self-storage facility, to allow customers to stay more than a couple of nights in the hotel. The City’s definition for a hotel stipulated a weekly stay and was primarily to ensure that a hotel was a visitor accommodation as opposed to a living accommodation. Staff’s intent was that the hotel remain a commercial use that would not later become a residential use.

JIM McMASTERS, Commercial Real Estate Broker, Colliers International, 1850 Mt. Diablo Boulevard, Walnut Creek, advised that he was representing the property owners who were in the process of selling the property to the developer. He commented on the past efforts to sell the property and recognized the complexity of the project. He noted that they had worked hard to bring the proposed tenants to the project in response to interviews with adjacent businesses that desired a hotel, gas and food businesses. He suggested that the tenants would provide a good blend of business environment and he understood that the property owner was pleased with the proposal. He expressed his appreciation to City staff for their assistance in developing the proposal.

In response to Commissioner Harris, Mr. McMasters clarified that the conceptual rendering, which had shown some signage for a Denny’s Restaurant, did not mean that a Denny’s Restaurant was being considered for the project.
Mr. McMasters otherwise acknowledged that the developer had desired a sit down restaurant as the fourth use in the project which had yet to be identified.

Commissioner Harris referenced the west elevation of the Chevron Gas Station building and requested that some wainscoting be provided along the bottom with a stucco mold. He also identified proposed modifications that he would like to see made to the architectural design, as presented, which he could provide in writing to the applicant.

DANA THURMAN, Property Specialist, Chevron/Texaco, San Ramon, advised when asked, that their Project Architect was RHL Design Group who was not present in the audience. He expressed the willingness to forward the recommendations to the Project Architect for consideration.

JEFF SEALY, Northern California Real Estate Representative, Jack in the Box Restaurants, clarified that the restaurant building would involve a white building with red awnings and some red treatment on the front entrances and signage. He also clarified that there was some treatment on the building walls that would provide some relief.

Commissioner Garcia noted the blank walls of the building which he found to be too stark.

Commissioner Harris commented that he also had some proposed modifications to the architectural design for the Jack in the Box building, which he had listed in writing and which he requested be considered by the applicant. The comments were to be provided to the applicant.

Mr. Sealy expressed the willingness to consider the proposed architectural design modifications.

Mr. Armstrong clarified, when asked, that signage for the project would be submitted subsequently to staff, although they had planned to submit plans for one proposed pylon sign and a Master Sign Program for the signage on the buildings themselves.

Commissioner Harris stated that he had recommendations for the project signage, which recommendations he would also communicate to staff.

OPPONENTS: None

PUBLIC HEARING CLOSED

Commissioner Garcia requested that a condition of approval be imposed for the Extended Stay hotel, that a masonry wall be provided from California Avenue to tie into the wall across the north property line.

Although the public hearing had been closed, Mr. Tomasello explained that the hotel was a
separate development and that any recommendation for fencing would have to be agreed upon by the hotel developer. He otherwise noted that the office buildings had been intended to face the street and that the needed exposure would be critical to its success. As to the access off of California Avenue, he commented that he was not concerned with views of semi trucks to the adjacent industrial businesses. He suggested that a masonry wall would not be attractive and would result in a "box" appearance.

Commissioner Garcia disagreed in that the buildings would not be clearly visible from California Avenue. He recommended that either a six or eight foot tall wall be installed, in order to provide security and to obscure visibility of the truck traffic whose diesel fuel might also damage the landscaping that had been proposed.

As a compromise, Mr. Tomasello recommended the installation of a wrought iron fence.

Commissioner Garcia suggested that a masonry wall or wrought iron fence could then be installed from the hotel area down to Railroad Avenue.

Commissioner Glynn had no problem with a wrought iron fence all the way down to Railroad Avenue, although he expressed concern with the corner configurations. He requested that each resolution be discussed separately to ensure that any proposed modifications to the plans were adequately noted and recorded.

MOTION:  RZ-01-02

Motion by Commissioner Garcia to adopt Resolution No. 9289, recommending the approval of RZ-01-02 to the City Council to amend the schedule of permitted uses and development regulations for an existing CS-O (Service Commercial with a Limited Overlay) zoning designation of two parcels located north of California Avenue and west of Loveridge Road for "Mill Creek Development." The motion was seconded by Commissioner Glynn and carried by the following vote:

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

MOTION:  Subdivision 8587

Motion by Commissioner Garcia to adopt Resolution No. 9290, approving a tentative map for a six-lot commercial subdivision, Subdivision 8587, located north of California Avenue and west of Loveridge Road for "Mill Creek Development," with the conditions as shown and as amended by correspondence from Mark Armstrong, dated February 12, 2002.

26        February 12, 2002
The motion was seconded by Commissioner Harris and carried by the following vote:

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

MOTION: **UP-01-19**

Motion by Commissioner Garcia to adopt Resolution No. 9291, approving UP-01-19, a use permit for a hotel located on the north side of California Avenue and west of Loveridge Road for "Extended Stay America," with the conditions as shown and that the permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year. The motion was seconded by Commissioner Kelley and carried by the following vote:

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

MOTION: **DR-01-43**

Motion by Commissioner Garcia to adopt Resolution No. 9292, approving DR-01-43, design review approval of architectural and site development plans for the construction of a hotel located on the north side of California Avenue and west of Loveridge Road for "Extended Stay America," with the conditions as shown and subject to:

- The Extended Stay Hotel to face east;
- A wrought iron fence to be installed from California Avenue to the end of the lot line; and
- The permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year.

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

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

MOTION: **UP-01-22**
Motion by Commissioner Garcia to adopt Resolution No. 9293, approving UP-01-22, a use permit for a self-service restaurant with drive-through service located on the north side of California Avenue and west of Loveridge Road for "Jack in the Box," with the conditions as shown and that the permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year. The motion was seconded by Commissioner Leonard and carried by the following vote:

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

MOTION: DR-01-44

Motion by Commissioner Garcia to adopt Resolution No. 9294, approving DR-01-44, design review approval of architectural and site development plans to construct a 2,400 square foot self-service restaurant with drive-through service located on the north side of California Avenue and west of Loveridge Road for "Jack in the Box," with the conditions as shown and subject to:

- Commissioner Harris working with the developer and staff to break up the blank walls of the restaurant building; and
- The permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year.

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

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

MOTION: UP-01-20

Motion by Commissioner Garcia to adopt Resolution No. 9295, approving UP-01-20, approving a use permit for a service station (retail gas, car wash and convenience store) located north of California Avenue and west of Loveridge Road for "Chevron Service Station," with the conditions as shown and that the permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year.

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

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

28 February 12, 2002
On the discussion for the approval of Resolution No. 9296, Commissioner Garcia reiterated his request that Commission Harris meet with staff and the developer to make minor architectural changes to the building.

Commissioner Glynn requested that two additional conditions be imposed on Resolution No. 9296 to address concerns that no storm water or runoff be allowed to drain into the Kirker Creek Watershed.

Mr. Jerome suggested that the proposed conditions would be best applied to the Tentative Map and Resolution No. 9290.

Commissioner Garcia understood that the staff report had indicated where the developer would be required to take the storm water farther down under the existing railroad tracks, which had already been reflected in the staff recommended conditions of approval. He suggested that upon the completion of the required approval of the numerous resolutions, the Commission could consider a modification and a revote of Resolution No. 9290, to address Commissioner Glynn's concerns.

City Engineer Girard advised that the imposition of another condition would simply reiterate the current staff recommended conditions of approval.

MOTION: **DR-01-45**

Motion by Commissioner Garcia to adopt Resolution No. 9296, approving DR-01-45, design review approval of architectural drawings and site development plans to construct a service station with car wash, fuel pump island and canopy located on the north side of California Avenue and west of Loveridge Road for "Chevron Service Station," with the conditions as shown and subject to:

- Commissioner Harris to meet with staff and the developer to make minor architectural changes to the building; and
- The permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year.

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

Ayes: Commissioners Garcia, Glynn, Harris, Kelley, Leonard, Holmes
Noes: None
Abstain: None
Absent: None
MOTION: **UP-01-23**

Motion by Commissioner Garcia to adopt Resolution No. 9297, approving UP-01-23, a use permit for a self-storage facility located on the north side of California Avenue and west of Loveridge Road for "Mill Creek Development," with the conditions as shown and that the permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year. The motion was seconded by Commissioner Harris and carried by the following vote:

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

On the discussion for the approval of Resolution No. 9298, Commissioner Harris reiterated his preference that the self-storage facility entrance be moved off of California Avenue. He questioned whether or not the developer was in agreement with such direction.

Mr. Jerome commented that the Commission had discussed flaring out the entrance road for a possible deceleration lane and an acceleration lane for ease of access.

DAVE LAZARUS, Mill Creek Development, expressed the willingness to reconsider Commissioner Harris' suggestion to adjust the entrance to the self-storage facility.

Commissioner Leonard requested that the original color scheme proposed for the self-storage facility and research and development buildings be considered in place of the current color scheme.

Mr. Tomasello expressed the willingness to work with staff on the building colors.

Commissioner Glynn requested that the following conditions be added to Resolution No. 9298:

**Condition No. 16:** None of the Mill Creek project storm drain systems shall discharge into the Kirker Creek Watershed.
Condition No. 17: Surface runoff water from the Mill Creek project paved areas shall not be permitted to enter the Kirker Creek Watershed Area.

Associate Planner Ken Strelo advised that a recommended condition that no water shall discharge into the Kirker Creek Watershed would be impossible since the project would be located in the middle of the watershed and any discharge regardless if directly to Kirker Creek itself, to a detention basin, or through a filter, would go to the watershed. He suggested that the condition could be modified to reflect that no direct discharge be permitted to Kirker Creek itself.

Commissioner Glynn stated that he did not want water to drain into the paved surface into Kirker Creek or Praxair ending up on the other side of Kirker Creek.

Mr. Strelo suggested a condition that no surface runoff be permitted directly into the storm drain.

MOTION: DR-01-32

Motion by Commissioner Garcia to adopt Resolution No. 9298, approving DR-01-32, design review approval of architectural plans for construction of a self-storage facility located on the north side of California Avenue and west of Loveridge Road for "Mill Creek Development," with the conditions as shown and subject to:

- Commissioner Harris to meet with staff and the developer to discuss an alternate entrance to the self-storage facility. If not feasible, an extra lane or extra wide shoulder shall be added in the right turn in/out of the property;
- The permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year;
- No surface runoff water shall be permitted directly into the storm drain; and
- The original color scheme proposed for the self-storage facility shall be applied rather than the color scheme currently proposed by the applicant.

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

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

MOTION: DR-01-33

Motion by Commissioner Garcia to adopt Resolution No. 9299, approving DR-01-33, design review approval of architectural and site development plans to construct a 93,000
square foot office/research and development complex located on the north side of California Avenue and west of Loveridge Road for "Mill Creek Development," with the conditions as shown and subject to:

- The original color scheme proposed for the office buildings shall be applied as originally submitted; and
- The permit shall be extended from one year to two years with the opportunity provided by ordinance for an additional extension of one year.

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

**Ayes:** Commissioners Garcia, Glynn, Harris, Kelley, Leonard, Holmes

**Noes:** None

**Abstain:** None

**Absent:** None

Chairperson Holmes declared a recess at 10:41 P.M. The meeting reconvened at 10:40 P.M. with all Commissioners present.

**COMMISSION CONSIDERATIONS:**

**Item 3: Spectrum Center Property Development Expansion. DR-01-62.**

Application by Claudia Avalos of Spectrum Center for design review approval of site development and architectural plans for construction of a 2,400 square foot building housing three classrooms, and a 3,210 square foot building housing administration offices and a multi-purpose room on a 2.28 acre site of an existing private school located at 135 East Leland Road, CC-O (Community Commercial with a Limited Overlay) zone; APN 088-183-079.

Associate Planner Strelo presented the request from the Spectrum Center for design review approval of site development and architectural plans for the construction of a 2,400 square foot building housing three classrooms, a 3,210 square foot building housing administration offices and a multi-purpose room on a 2.28 acre site of an existing private school located at 135 East Leland Road in a Community Commercial with a Limited Overlay zoning district.

Mr. Strelo explained that the school was located in the former Cake Box building on Leland Road.

In March 2001, Spectrum Center had appeared before the Commission for the approval of a use permit to extend their use for a majority of their property, which had involved a lot line adjustment to increase the size of the current parcel and which had been approved through Resolution No. 9191. In addition, a portion of the property had been approved through a
design review application for development, including a playground area and additional parking, which had been referred to as Phase I and had been approved through Resolution No. 9192.

The subject application involved the next phase in the project development taking into consideration three new classrooms and an administrative/multi-purpose room. The buildings would match the existing buildings on the site with the same shingle/mansard roof and colors. The applicant would also conduct curb, gutter and sidewalk improvements along the property at the northern end of Leland Road and provide additional parking.

Mr. Strelo recommended that the Planning Commission adopt Resolution No. 9286, approving DR-01-62, with the conditions as shown.

PROPOSER:

CLAUDIA AVALOS, Director, Spectrum Center, 135 East Leland Road, Pittsburg, stated that she had read and was in agreement with the staff recommended conditions of approval.

MOTION:

Motion by Commissioner Glynn to adopt Resolution No. 9286, approving DR-01-62, design review approval of site development and architectural plans to construct 3 classrooms and an administration building located at 135 East Leland Road for "Spectrum Center Property Development Expansion," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

Item 4: Pittsburg Ford Freestanding Signs and Sign Exception. DR-01-61.

Application by Ana Olivera of Olivera Signs requesting design review approval of elevations and architectural plans for three freestanding signs and a sign exception for height, number, and area for Pittsburg Ford at 2575 Railroad Avenue, CC (Community Commercial) zone; APN 088-184-006.

Planning Technician Christopher Barton presented the request for design review approval of elevations and architectural plans for three freestanding signs and a sign exception for height, number, and area for Pittsburg Ford at 2575 Railroad Avenue, in a Community
Commercial zoning district.

Pittsburg Ford currently had three freestanding signs on the site and a design change had been proposed. The new signs would be located in the same location and mounted on the same poles, standing at the same height, although involving a smaller area. The three existing freestanding signs had been built prior to the 1987 Sign Ordinance making the signs non-conforming. The Pittsburg Municipal Code required that the Commission review modifications of existing signs.

Mr. Barton referenced Resolution No. 9287, Section 2. Findings, and requested that an additional finding be added as follows:

Per Section 19.12.020 A3 indicates that the size or width of the property upon which the business or use is located is such that a sign or signs placed on the building do not adequately identify the premises occupied by that use.

Mr. Barton noted that the applicant had also requested an exception to the Municipal Code Sign Regulations which would allow for a greater number of freestanding signs per street frontage or main entrance and a greater height and sign face area. As to the number of signs, the Municipal Code allowed one freestanding sign for each main entry or street frontage. The car dealership had only two main entries and had proposed three freestanding signs.

Due to the nature of the business, site design and layout, the presence of three existing non-conforming signs to be replaced by the proposed signs, staff was of the opinion that the number of signs being proposed to front Railroad Avenue would be appropriate. As to the height of the signs, the Municipal Code allowed a maximum height of 15 feet for freestanding signs for auto dealerships. The Ford identification sign would be 36 feet in height and the proposed Pre-Owned Vehicle Sign would be 25 feet in height.

Since the signs would be no higher than the signs that had historically been placed on the site and the proximity of the signs to a line of palm trees partially screened the front of the dealership dependent upon the viewing angle, staff was of the opinion that the height of the proposed signs would be appropriate.

The proposed freestanding signs would have approximately 200 square feet of total sign area, with 120 square feet for the Ford identification sign, 60 square feet for the Pre-Owned Vehicle Sign, and 20 square feet for the Service sign. The Municipal Code allowed a maximum of 150 square feet of freestanding sign area with a 75 square foot sign maximum for each sign.

Although the Ford identification sign exceeded the City code, staff was of the opinion that the proposed sign area would be appropriate since the new signs would involve a smaller
Mr. Barton recommended that the Planning Commission adopt Resolution No. 9287, approving DR-01-61, with the conditions as shown.

PROPONENT:

ANA OLIVERA, Olivera Signs, 2575 Railroad Avenue, Pittsburg, explained that the signs were being changed as part of a new program image for Ford dealerships nationwide. She affirmed, when asked, that she had read and would comply with the recommended conditions of approval.

MOTION:

Motion by Commissioner Kelley to adopt Resolution No. 9287, approving DR-01-61, design review approval of sign plans for three freestanding signs and sign exception for height, number, and area for a car dealership at 2575 Railroad Avenue for "Pittsburg Ford," with the conditions as shown and the Findings as amended. The motion was seconded by Commissioner Leonard and carried by the following vote:

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

Item 5: Pittsburg Ford Modular Office Building. DR-02-02.

Application by LaRoy Doss of Pittsburg Ford requesting design review approval of architectural plans to place a 480 square foot modular building to be used as an office on the site of an existing automobile dealership at 2575 Railroad Avenue, CC (Community Commercial) zone; APN 088-184-006.

Planning Technician Barton presented the request from Pittsburg Ford for design review approval of architectural plans to place a 480 square foot modular building to be used as an office on the site of an existing automobile dealership at 2575 Railroad Avenue, in a Community Commercial zoning district.

The modular office unit had come to the City's attention since the City had received applications for modular units for the subject applicant and for several churches.

On December 11, 2002, the Planning Commission had requested that Pittsburg Ford be contacted to move forward to obtain proper approvals for the modular unit on the property.
The modular unit was currently being used as an office and consisted of an off-white color with metal skirting around the unit covering the wheels. The modular unit was 24 feet in length, 20 feet in width and 13 feet in height, located on the north side of the parcel adjacent to the customer service area.

Pittsburg Ford operated under an existing use permit, U 76-34, allowing vehicle sales consistent with the site's General Plan designation of Community Commercial. In addition, the parking, height and lot coverage complied with the zoning regulations.

Mr. Barton advised that the City's Building Division would work with the applicant to address the placement of the modular unit, which was currently positioned against the main structure. The modular unit could either be attached as part of the main building or be required to be set back six feet.

The following presented a speaker card, with comments, but did not wish to speak.

MICHAEL KEE, Pittsburg, wrote: "Please include condition of approval that no cars be parked on the public right-of-way."

Mr. Barton recommended that the Planning Commission adopt Resolution No. 9288, approving DR-02-02, with the conditions as shown.

PROPONENT:

NATHAN STOLER stated that he was present to represent the applicant. He recognized the request to not allow vehicles to be parked in the lawn area located in the public right-of-way in front of the site, which comment he would relay to the applicant.

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9288, approving DR-02-02, design review approval of architectural plans to place a 480 square foot modular building to be used as an office on the site of an existing automobile dealership at 2575 Railroad Avenue for "Pittsburg Ford," with the conditions as shown and subject to the prohibition of vehicles being parked in the public right-of-way, identified as the lawn area between the curb and the sidewalk. The motion was seconded by Commissioner Leonard and carried by the following vote:

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

36        February 12, 2002
STAFF COMMUNICATIONS:

1. Planners Institute
2. Contact with City Manager

Mr. Jerome reported that the Planners Institute had been scheduled for March 20-22 in Monterey. Commissioners were encouraged to R.S.V.P to the Planning Secretary. He also noted that a memorandum had been included in the Commission packets regarding the procedure for contacting the City Manager.

In addition, Mr. Jerome reported that the rezoning request from Mill Creek Development and appeals of the Planning Commission approvals for the Shiloh Church and the Dow SF project, had both been scheduled for consideration by the City Council on March 18.

GENERAL PLAN UPDATE REPORT:

Mr. Jerome advised that he would meet with the General Plan consultant to discuss more issues on the Housing Element and to learn of the status of corrections necessary as a result of the City Council's adoption of the General Plan in November 2001. The Interim Zoning Ordinance, which had been adopted as an Urgency Ordinance by the Council in January 2001, would be heard by the Council for an extension on February 19, to be extended for one year.

ZONING ADMINISTRATOR REPORT:

There was no Zoning Administrator Report.

COMMITTEE REPORTS:

Chairperson Holmes reported that he had attended the Traffic and Circulation Advisory Committee where a status report had been presented on the improvements to the Pittsburg/Antioch Highway, which had been scheduled to commence in April with completion anticipated by September. In addition, a report had been presented on the Buchanan Road Improvement Project regarding bicycle striping. A number of homeowners had been present during the meeting and had raised a number of concerns as to the potential loss of parking spaces. Action on that item had been postponed to a special meeting scheduled for March 7.

COMMENTS FROM COMMISSIONERS:
Commissioner Harris stated that he had submitted three separate letters of correspondence dated February 12, 2002 to staff and to the Commission to identify requests that he would like the City Council to consider.

Those requests involved the way the City processed its business licenses, traffic issues with a request for a stop sign at the intersection of Garcia Avenue and Harbor Street, and a request that the Council consider the retirement of the Construction Bond with default trust reserve funds involving the Los Medanos Community Hospital District.

Commissioner Harris requested a consensus from the Commission to forward the three letters to the City Council for consideration. He also clarified that he would revise the letterhead of each correspondence to reflect the name of the current Mayor.

By consensus, the three letters from Commissioner Harris dated September 12, 2002, as identified, were to be forwarded to the City Council for consideration.

Commissioner Garcia understood that the City had received a favorable ruling to allow access to the Thomas property, and Mr. Jerome affirmed that the City had received approval by court order to gain access to the property to conduct engineering studies.

Commissioner Garcia reiterated a previous request for the consideration of a speed bump on Goldcrest Court off of Buchanan Road at the entrance to the Jubilee Subdivision.

Mr. Barton explained that he had forwarded the request to the Traffic Engineer who had identified the formal process required.

Commissioner Garcia requested that Assistant Civil Engineer Alfredo Hurtado process the request, to be submitted to the Traffic Engineer.

ADJOURNMENT:

There being no further business, the meeting adjourned at 11:17 P.M. to a regular meeting of the Planning Commission on February 26, 2002, at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

____________________________________
RANDY JEROME, Secretary
Pittsburg Planning Commission