A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Holmes at 7:34 P.M. on Tuesday, March 26, 2002, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

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

Absent: Commissioner Kelley

Staff: Director of Planning and Building Randy Jerome; Associate Planner Chris Bekiaris; and Assistant Civil Engineer Alfredo Hurtado.

POSTING OF AGENDA:

Chairperson Holmes advised that the agenda had been posted at City Hall on Friday, March 22, 2002.

PLEDGE OF ALLEGIANCE:

Commissioner Ramirez led the Pledge of Allegiance.

MINUTES: March 12, 2002

Commissioner Garcia requested an amendment to the last sentence of the second paragraph on Page 5, as follows:

He [Commissioner Garcia] otherwise assumed that there had been no dispute about a Low Density Residential designation for the south side of the subject property, since in his opinion the Council had the right to decide what the General Plan should designate for that property.
MOTION:

Motion by Commissioner Garcia to approve the minutes of the March 12, 2002 meeting, as amended. The motion was seconded by Commissioner Glynn and carried by the following vote:

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

DELETIONS/WITHDRAWALS:

There were no deletions or withdrawals.

COMMENTS FROM AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

There were no presentations.

CONTINUED PUBLIC HEARING:

Item 1: Consideration of the General Plan Land Use Designation of Certain Alves Ranch Project Residential Property

A referral from the City Council to the Planning Commission to consider the appropriate General Plan Land Use designation, as approved by the City Council with the adoption of the General Plan on November 16, 2001, of a 35 acre residential area between State Highway 4 and West Leland Road and westerly of the Pittsburg/Bay Point BART Station located within the 294 acre Alves Ranch Project. The proposed General Plan land use for this site as originally considered by the Planning Commission was indicated as High Density Residential; the City Council has requested the Commission to consider whether or not this area should be designated as Low Density Residential. (Continued from March 26, 2002.

Mr. Jerome advised that the item had been continued from the Planning Commission meeting of February 26, 2002 at the written request of the applicants to allow them to respond to a number of issues that affected their property. The hearing had been continued from the March 12, 2002, Planning Commission meeting at the request of the Planning Commission to allow staff to provide additional information on the number of multiple family units either planned or approved in the area under discussion.

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The numbers of the apartment units approved and the multi-family units proposed and approved in the adjoining area near the Bay Point/Pittsburg BART Station had been identified in the staff report. The staff report had also included a map to identify the location where some of those densities would occur. As further identified by the staff report, multiple family units ranging from 2,727 units to almost 4,100 units had been planned or approved along the West Leland Road corridor, east of Bailey Road to the City limits at the City of Concord.

The Alves Ranch was located to the west of the Bay Point/Pittsburg BART Station. The issue had been whether the appropriate land use should be High Density as shown on the General Plan, or be shown as Low Density Residential.

Mr. Jerome explained that the City Council had adopted the General Plan Update on November 16, 2001 and there had been issues relative to what had transpired on the subject property, that had not been discovered until the adoption of the minutes from the November 16, 2001 Council meeting, which had resulted in some disagreement among the Council on what was to transpire on the Alves site. That issue had been discussed in detail at the November meeting. Subsequently, the Council had adopted a verbatim transcript of the November 16, 2001 meeting. As a result of some confusion, the Council had requested by minute order at its February 4, 2002 meeting that the issue of the High Density Residential designation as shown on the General Plan for the subject site be referred back to the Planning Commission for consideration.

Mr. Jerome advised that the land uses on the current map were consistent with what the General Plan had envisioned and there had been no discussion by the Planning Commission for any different land uses than what had been shown on the map. The Council had raised those issues and since the Commission had not considered those issues, it had been determined to be appropriate to refer the matter back to the Commission for recommendation to the Council.

Mr. Jerome reported that the Draft Environmental Impact Report (DEIR) for the Alves Ranch had been going through the process of the California Environmental Quality Act (CEQA). The comment period was now closed. The City’s consultant was in the process of responding to comments that had been received during the public review period. The project, as proposed by the applicant, was for a mixed density of High Density and Low Density Residential, including Medium Density and Commercial Office on the specific site in question.

Mr. Jerome recommended that the Planning Commission take additional public testimony and discuss the desired residential density for the 35 acre site and recommend to the City Council the appropriate General Plan land use designation as either High Density Residential or Low Density Residential.
Mr. Jerome also reported that staff had recently received correspondence from Braddock and Logan, one of the applicants for the project, which had formally withdrawn its interest in the property. The application and project in total had now been taken over by Alves Ranch, LLC.

In addition, staff had received a writ filed by the law firm of Morrison and Foerster, LLP, on behalf of Alves Ranch, LLC, which had effectively sought that the High Density Residential designation for the property remain. The writ was currently under review by the City Attorney's Office.

Commissioner Glynn requested clarification, which of the two alternatives for the Bay Point/Pittsburg BART Specific Plan were under consideration. He understood that the County had chosen Alternative Five.

Mr. Jerome affirmed that the County Planning Commission and the Fiscal Committee for the Bay Point/Pittsburg BART Station Specific Plan had selected the hybrid alternative for Alternate 5, which had more High Density dwellings in the BART Station area. Alternative 6, the Seeno Alternative, had proposed far more Commercial Office designation.

Commissioner Glynn inquired whether or not the configuration of the Alves property, as shown on the map included in the staff report, was in accordance with the 1992 submission or the current request, to which Mr. Jerome advised that it was in accordance with the current request.

PUBLIC HEARING OPENED

PETER HELLMAN, Alves Ranch LLC, 2108 Grant Street, Concord, presented the Commission with correspondence from Morrison and Foerster, LLP, dated March 26, 2002, which correspondence had been delivered earlier this date to the City and which he requested be made a part of the record for public hearing agenda Item Nos. 1, 2, and 3.

OPPONENTS: None

PUBLIC HEARING CLOSED

Commissioner Garcia advised that he was knowledgeable about the project since he had been on the Planning Commission when the first application for the property had originally been submitted to the City. He had requested that additional information be provided by staff since he had recalled that when the Bay Point/Pittsburg BART Specific Plan had been approved, a number of High Density units had been approved for the San Marco project. He noted that there were a number of apartment units being proposed which would probably cover as many units as currently existed in the City. He suggested that the proposed Alves Ranch project would, in essence, double the number that currently existed. Speaking to the Commercial designation proposed as part of the Alves Ranch project,
Commissioner Garcia expressed concern that could represent spot zoning for commercial units, when there was already commercial zoned at the main intersections. He emphasized that the Bay Point/Pittsburg BART Specific Plan called for over 800,000 square feet of commercial office space. If the property were ever developed as envisioned, he suggested that would fill up Leland Road and the immediate intersections.

Commissioner Garcia suggested that the first submission for the property had been the right submission because of the fact that people had bought in the area with the consideration that they would be residing adjacent to Low Density Residential uses. In his opinion, the best zoning for the specific piece of property would be Low Density Residential on both sides of Leland Road. He expressed the willingness to make a motion to that effect.

Mr. Jerome explained that the Planning Commission could make a motion or reach a consensus on what had been submitted to the Commission for consideration, although a motion would not be required.

Commissioner Garcia supported comments from the Commission as to a consensus. He otherwise referenced the correspondence received by Mr. Hellman from Morrison and Foerster, LLP, and agreed as stated in that letter, that the decision should go to the City Council since it was their responsibility if there were any legal implications involved.

Commissioner Leonard commented that in his review of the overall Pittsburg/Bay Point BART Specific Plan, specifically the areas north and south of Leland Road, there was in his opinion no doubt that the area south of Leland Road should be designated Low Density Residential. He did not agree that a High-Density Residential designation on the north side of Leland Road made no sense. He referenced other BART stations in the area where there were a number of apartments complexes and while he recognized that not everyone would work there they would have faster access to State Route 4 and the BART Station. He recommended that the area north of Leland Road be designated High Density and that south of Leland Road be designated Low Density Residential.

Commissioner Harris suggested that the subject area was an entrance into the City and that the City was in need of upgrading its housing. He pointed out that the City already had a great deal of low-income housing. As such, he supported a Low-Density Residential designation for the area, which would allow one to seven units to the acre.

Commissioner Ramirez tended to agree with Commissioner Garcia in support of a Low Density designation since the apartments in the area at this time and those proposed in the future would result in a terrible traffic situation in the area and impose impacts to Bailey and Leland Roads, particularly to the west. He recommended that the entire project be designated as Low Density Residential.
Commissioner Glynn advised that he had reviewed the issues regarding the property, had attended the East County Planning Commission meetings and had listened to the discussions of the merits of Alternatives 5 and 6. He agreed in general that a large massive concentration of high density housing in close proximity to the BART Station may be okay up to a point, although he suggested that the City was reaching a point where the density on the north side of State Route 4 would be a bit heavy if the project were to proceed as described.

Commissioner Glynn explained that while not promoting Low Density Residential designations on both sides of Leland Road, he suggested a good compromise would be a Medium Density designation on the north side of Leland Road with a Low Density designation on the southern side. He also agreed that a review of areas around other existing BART stations would identify a mix of uses dependent upon the orientation of the overall objective of the build out around those BART stations.

Chairperson Holmes favored a Low-Density designation as opposed to a Medium or High-Density Residential designation.

PUBLIC HEARINGS:

**Item 2: Willow Heights Residential Subdivision, (Stanley Works). RZ-01-03, DR-01-42 and Subdivision 8605**

Applications by Vince Fletcher of Schuler Homes of California Inc., to amend the zoning map for approximately 17.18 acres from RS (Single-Family Residential) to PD (Planned Development), and request approval of PD Plan and a tentative map for a 119-lot single family residential subdivision and for design review approval of architectural plans for house plans and landscaping on the portion of the Stanley Works site located between North Parkside Drive on the north, West Seventeenth Street on the south and between Andrew Avenue on the east and the River Run residential subdivision on the west; APN 086-020-012.

Homes, since Schuler Homes had been combined with Western Pacific Homes as the new applicant. He noted that the developer had been looking at the project more closely and was uncertain if the project would be viable. The developer had requested that the application be continued to the Planning Commission meeting of April 23, 2002, where the applicant should have more information as to whether or not they would proceed or withdraw the application.

Mr. Jerome recommended that the Planning Commission make a motion to continue Willow Heights Residential Subdivision to the meeting of April 23, 2002.

Commissioner Garcia commented that the project involved 17.1 acres with 119 lots, equating to seven units to the acre. He expressed concern with the small size of the lots and suggested that the numbers did not appear to pencil out for 119 lots on 17 acres.
Mr. Jerome affirmed that the lots were not large lots, which could be an issue related to the price of the land versus the development of the property in terms of the marketing of the lots. He understood that the developer had considered homes similar in size to those designed for the Harbor Lights subdivision.

Associate Planner Bekiaris acknowledged that the homes would be similar in size to those developed for Harbor Lights, with the lot sizes to vary. He understood that the developer was in the process of negotiations with the property owner for an extension to purchase the property, although if unsuccessful, he understood the developer would be pulling out of the project completely. He acknowledged that the property owner might pursue the development of the property.

PUBLIC HEARING OPENED

PROPOSENTS: None

OPPONENTS: None

MOTION:

Motion by Commissioner Garcia to continue RZ-01-03, DR-01-42 and Subdivision 8605 for Willow Heights Residential Subdivision (Stanley Works), to the meeting of April 23, 2002. The motion was seconded by Commissioner Glynn and carried by the following vote:

  Ayes: Commissioners Garcia, Glynn, Harris, Leonard, Ramirez, Holmes

  Noes: None

  Abstain: None

  Absent: Commissioner Kelley

As members of the Board of Directors of the Pittsburg Economic and Housing Development Corporation (PEHDC), Chairperson Holmes and Commissioner Glynn both stepped down from the dais due to a potential conflict of interest with Item No. 3.

Commissioner Leonard served as the Acting Chair at this time.

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**Item 3: Presidio Village Senior Housing PD (Planned Development) Plan Amendment. RZ-01-04.**

Application by Tom LaFleur of Pacific Community Services to amend the PD Plan (PD-1170) for Presidio Village Senior Housing, a 104 unit senior apartment complex, to reduce the number of secured parking spaces and increase the number of visitor parking spaces located on the south side of Presidio Lane, PD Zone; APN 088-184-028.

Associate Planner Bekiaris presented the request to amend the PD Plan (PD-1170) for
Presidio Village Senior Housing, a 104 unit senior apartment complex, to reduce the number of secured parking spaces and increase the number of visitor parking spaces located on the south side of Presidio Lane in a Planned Development zoning district.

Mr. Bekiaris explained that the request would increase the number of visitor parking spaces as a result of the minimum age group of those residing in Presidio Village, which minimum age would be increased above a 55 year average age. The residents of Presidio Village would be 65 and up to 72 years of age. As a result, fewer vehicles would be associated with the use. As indicated in the staff report, Presidio Village would have double the number of vehicle parking than in the Stoneman I and II developments. Staff was unaware of any parking concerns associated with the Stoneman I and II projects.

Mr. Bekiaris suggested that the increase in visitor parking would actually help by increasing landscaped areas and be consistent with the City's National Pollutants Discharge Elimination System (NPDES) requirements by allowing more pervious soils to allow water to percolate into the soil.

Mr. Bekiaris recommended that the Planning Commission adopt Resolution No. 9306, recommending the City Council's approval of RZ-02-02 to amend the PD Plan.

PUBLIC HEARING OPENED

PROPOONENT:

TOM LaFLEUR, Pacific Community Services, Inc. (PSCI), 329 Railroad Avenue, Pittsburg, explained that the amendment to the PD plan would not be a cost saving measure in that it would cost the project more since there would be more lineal feet of curbs and more landscaping. The request was being made since PSCI had initially been unaware whether the project would be funded by the State as a tax credit for 55 years and up, a population that would involve a lot of couples and vehicles, or whether the project would be funded by the Federal Government under the 202 Program as had occurred with Stoneman I and II, which had a much different population characteristic in terms of the number of vehicles associated with the target age range.

Mr. LaFleur explained that Stoneman I had been built with one parking space for every four units where it had been found that there was enough resident parking but not enough visitor parking. Stoneman II had included additional visitor parking with a one to three parking ratio. The subject project would provide double that provided for the other projects and would offer an excess of parking.

Commissioner Garcia requested a reduction of the number of secured parking spaces from 104 to 65 parking spaces, as opposed to 63 parking spaces, to which Mr. LaFleur expressed the willingness to do.
Commissioner Harris referenced the turnaround circle and the area where the Senior Center would be located adjacent to the subject project. He inquired whether or not there would be adequate access in and out of that area.

Mr. LaFleur explained that the original plan had shown the key turnaround circle with 20 parking spaces to be shared between the Senior Center and the housing project. Since there was an expected parking shortage at the Senior Center and since there would be too much parking on site for the subject project, a gate had been moved back resulting in an increase from 20 to 30 parking spaces to be shared with the Senior Center. He described how the traffic would enter the turnaround area and into the first section of the parking lot to access the area under discussion.

Mr. Bekiaris requested an amendment to Page 2 of Resolution No. 9306, Section 3, Approval, as follows:

2. The number of parking spaces shall be 65 secured parking spaces and 50 visitor parking spaces.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9306, recommending the City Council amend PD-1170 for "Presidio Village Senior Housing," RZ-02-02, with the conditions as shown and with the modification for 115 parking spaces, as recommended. The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

Acting Chair Leonard advised that the applicant, City Council, City Manager, or any affected person could appeal either the denial, approval or any condition of approval of an item within 10 calendar days of the decision. A written notice of the appeal must be filed within this period with the City Planner at City Hall.

Chairperson Holmes and Commissioner Glynn returned to the dais at this time. Chairperson Holmes chaired the meeting.
STAFF COMMUNICATIONS:

Mr. Jerome reported that correspondence had been sent to Walmart and Fort Knox Self Storage facility at the request of the Commission requesting that representatives of those businesses appear before the Planning Commission to address Commission concerns.

Mr. Bekiaris advised that a representative of Fort Knox Self Storage facility had responded to the correspondence that had been sent and had informed staff that he would not attend the Planning Commission meeting but would be willing to meet separately with Commissioners Garcia and Harris. Walmart had not responded to the correspondence sent by staff, although Planning Technician Chris Barton had spoken to Walmart representatives regarding concerns with cargo containers on the property. Walmart had expressed the desire to keep the containers on the site for a bit longer and to then remove them from the site. Walmart had also indicated that some of the containers did not belong to Walmart.

Commissioner Harris emphasized that he had requested that a representative from Walmart appear before the Planning Commission to address concerns with the condition of the property, existing landscaping and the storage containers. In addition, he did not want to meet separately or personally with the owner of the Fort Knox Self Storage facility given his opinion that the property owner should not meet separately with Commissioners but should appear before the entire Commission to address Commission concerns with the project.

Commissioner Garcia understood that the property owner for Fort Knox Self Storage facility desired to skip Phase 2 and to proceed with Phase 3 of the project, although it was his understanding that only Phase 2 had been approved by the Commission and had building permits. He expressed concern that the property owner continued to purchase more land without completing what had promised to be done. While the Commission had offered to approve an off-site sign for the facility, which was not normally, acceptable so that customers would be aware of the facility location, the property owner had refused to install such signage. He emphasized that it was time for the property owner to appear before the Commission, particularly since the condition of the property was now worse than it had been prior to being purchased by the current owner.

Mr. Bekiaris acknowledged that staff had recently met with the property owner who had discussed his plans for the site and his desire to purchase nearby property where a former service station had been located in order to construct metal mini-storage buildings and to move his current office/residence. Staff had recommended that the property owner prepare a presentation that could be presented to the entire Planning Commission, for a potential workshop to solicit input from the Commission. He expressed the willingness to inform the property owner of the Commission's request that a representative appear before the Planning Commission.
GENERAL PLAN UPDATE REPORT:

Mr. Jerome reported that the General Plan consultant had received all information from staff and was proceeding with responses to comments from the State Department of Housing and Community Development (HCD) with respect to the Housing Element. He also noted that the City's General Plan may be submitted to the American Planning Association for a National Award.

ZONING ADMINISTRATOR REPORT:

Mr. Bekiaris advised that staff had recently received a zoning application for Stone Harbor subdivision to extend a portion of the existing six foot concrete wall by adding four feet of chain link fence on the top of the wall in order to prevent trespassing through the subdivision.

COMMITTEE REPORTS:

There were no committee reports.

COMMENTS FROM COMMISSIONERS:

Commissioner Garcia reported that he had recently met with staff to discuss an application from ARCO for a service station and mini mart on the corner of Loveridge and Leland Roads across from the International House of Pancakes. A number of concerns had been expressed with the project, including the location and adequate access of the driveways and how the tanker trucks would access the site to fill the fuel tanks. He commented that ARCO had planned to install solar panels over the canopies of all of the gas pumps, which would generate enough electricity to operate the pumping systems without having to use PG&E. That project was expected to be submitted to the Commission in the near future.

Commissioner Harris informed the Commission that he had met with the Mill Creek Developers to discuss a number of issues that had been raised with the project, as reflected in a prior meeting.

Commissioner Harris noted that the hotel entrance would not be changed, although the drive in entrance to the main road that would travel back to Martin Luther King would be moved back about 50 feet away. The developer had also agreed to revisions he had suggested for the Jack in the Box and Chevron service station components of the project. As to the mini-self storage facility, the developer had agreed to extend a third lane into the site to a rear road and obtain a release from the City for an existing easement.

Commissioner Harris also reported that an Ad Hoc Committee meeting had been held to discuss the Bailey Estates project where issues had been raised as to the proposed lot
size, the project design, the street configurations and flag lots. He advised that he had requested that the lots be no less than 2,800 square feet in size. He noted that he had requested that another Ad Hoc Committee meeting be scheduled to further discuss the project and that a current topography map be provided to facilitate those discussions.

Commissioner Glynn stated that he had also attended the meeting and had discussed the steep southern entrance to the project from the City of Concord. As a result, he had recommended the consideration of signalization to provide fair warning to those drivers heading north on Bailey Road that they would be coming up to a signal. In addition, an additional one lane would be required on the western side of Bailey Road and along the frontage of the entire project in order to allow the traffic time to make a right turn into the project, either at the northern or southern entrances. He commented that configuration would have some potential encroachment upon the riparian corridor on Bailey Road that had been approved by the Department of Fish and Game.

Commissioner Ramirez reported that he had attended the Planners Institute, which he had found to be interesting offering an opportunity to attend useful workshops and to meet other Planning Commissioners from throughout the State.

Chairperson Holmes stated that he too had attended the Planners Institute, which he had enjoyed. He understood that the event would be held in the City of San Diego next year.

Commissioner Leonard commented that he had requested that the Traffic Engineer review the traffic pattern on West Eighth Street between Railroad Avenue and Cumberland Street since there were plans to modify the existing one way street into two way traffic. He noted that as traffic headed from West Eighth Street, from Cumberland Street to Railroad Avenue there was a hard left turn, which was also, a blind turn. He requested that the matter be brought to the attention of the Traffic and Circulation Advisory Committee.

Commissioner Glynn recommended that the parking be extended west on Eighth Street through to Cutter Road, which could allow 10 to 12 parking spaces to the cutoff where Cutter Road began. If there were funds available, he suggested that the City consider expanding the diagonal parking to accommodate both the nearby funeral home and the parking needs along the linear park.

Commissioner Glynn also commented that the way the exit from The Villages had been proposed had created an odd right/left out of the end of the project, which he recommended be reconsidered and addressed. He also suggested that no one would stop driving through the Post Office parking lot even with its current configuration in order to travel straight down Eighth Street heading east.

Commissioner Harris advised that he had requested that reflectors be installed on Loveridge Road from State Route 4 to the old Pittsburg/Antioch Highway. While he recognized that had been done, he requested that a City working crew should maintain
those reflectors, particularly since there were many reflectors along the City's roadways that needed to be replaced. He suggested that the white striping paint should be applied prior to the installation of the reflectors in the event that the reflectors were lost. He also referenced the current installation of "KEEP CLEAR" spaces in and out of certain street crossings in the City and suggested that more be applied throughout the City. Further, he recommended the installation of flashing lights along Leland Road to curb the traffic coming in from the City of Antioch.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:38 P.M. to a regular meeting of the Planning Commission on April 9, 2002, at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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RANDY JEROME, Secretary
Pittsburg Planning Commission