MINUTES
OF THE REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION
April 9, 2002

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Holmes at 7:30 P.M. on Tuesday, April 9, 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, Assistant Planner Dana Hoggatt; Planning Technician Christopher Barton; and Civil Engineer II Alfredo Hurtado.

POSTING OF AGENDA:

Chairperson Holmes advised that the agenda had been posted at City Hall on Friday, April 5, 2002.

PLEDGE OF ALLEGIANCE:

Commissioner Harris led the Pledge of Allegiance.

MINUTES: March 26, 2002

MOTION:

Motion by Commissioner Garcia to approve the minutes of the March 26, 2002 meeting, as submitted.
The motion was seconded by Commissioner Harris 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:

PETE CARPINO, 151 El Camino Drive, Pittsburg, inquired of the status of a concern he had raised during a previous Planning Commission meeting regarding the placement of storage containers in the Wal-Mart parking lot.

Mr. Jerome reported that staff had sent two letters to Wal-Mart inviting the property manager/owner to appear at a future Planning Commission meeting. Staff had received no response at this time.

PRESENTATIONS:

There were no presentations.

PUBLIC HEARINGS:

Item 1: Arco Service Station. RZ-01-05, UP-01-32, DR-01-59 and MS 679-01.

Application by Pete Tobin of Tait & Associates requesting approval of a rezoning of 3.55 acres from CO (Office Commercial) to CC (Community Commercial) and approval of a tentative map to subdivide 3.55 acres into two parcels. The applicant is also requesting a use permit to operate a gas station with car wash and convenience store, and design review approval of architectural and site development plans to construct a 3,600 square foot convenience store, a 20 dispenser fuel pump island, and a 762 square foot car wash facility, located on an undeveloped 1.66 acre site on the southwest corner of East Leland Road and Loveridge Road; APN 088-230-012.

Mr. Jerome explained that the application for a service station on the subject property was now consistent with the new General Plan. The site had previously been shown in the General Plan as Commercial Office. The land use in the General Plan had been modified to a Commercial designation that would allow the service station subject to a rezoning of the property from the current zoning designation.
Planning Technician Christopher Barton presented the request from Pete Tobin of Tait & Associates requesting approval to rezone 3.55 acres from CO to CC, along with the approval of a tentative map to subdivide 3.55 acres into two parcels. The applicant also requested a use permit to operate a gas station with car wash and convenience store, and design review approval of architectural and site development plans to construct a 3,600 square foot convenience store, a 20 dispenser fuel pump island, and a 762 square foot car wash facility, located on a undeveloped 1.66 acre site on the southwest corner of East Leland Road and Loveridge Road.

Mr. Barton advised that a Walgreens store had been proposed for the subject site in 1995, although that application had ultimately been withdrawn after the completion of a traffic study that had been prepared for that project. In 1998 the Planning Commission had approved the rezoning of the property for an Exxon service station from CO to CC, which rezoning had proceeded to the City Council for consideration and had ultimately been denied. As a result, the site remained vacant and had been used for the sale of Christmas trees and used vehicles.

Mr. Barton explained that the applicant was now asking the Planning Commission to review the project and recommend that the City Council rezone the property to CC from the current CO designation. The request for the approval of a minor subdivision would allow for the subdivision of the 3.55-acre parcel into two parcels. One of the parcels would be 1.66 acres in size where the service station would be developed.

A use permit would also be required as part of the project since the service station was permitted subject to the approval of a use permit. The site would include a convenience store, car wash and fueling canopy. The car wash hours of operation had been proposed from 6:00 A.M. to Midnight. Noise generated from the car wash should be at a tolerable level, particularly since an eight-foot masonry wall would be constructed between the property and an adjacent apartment complex. The applicant had provided information from the manufacturer of the car wash to indicate that when placed, as proposed, the noise from the car wash would be within a tolerable threshold from the adjacent apartment complex.

The convenience store had been proposed to operate for a 24-hour period, seven days a week and involve three to four employees. The convenience store would sell food, beer, wine, tobacco and general merchandise.

Mr. Barton advised that Central Junior High School was located within 500 feet of the site and the applicant had been in contact with the Pittsburg Unified School District (PUSD) and the Pittsburg Police Department as to the sale of alcohol at the subject location.

The design review of the structures would include trellis features along the south and west elevations which would offer a consistent landscaping theme along the car wash drive-through.
Consistent materials would also be used for the wainscot consistent with the design of the car wash, convenience store and a freestanding sign. The applicant had also proposed to install accent tile along the entrances which would match the color of the wainscot. The stucco texture design would also be consistent throughout the structures on the site.

The front of the building would involve an awning feature that would be curved in shape and be visible on the east and west elevations, with a neon strip through the awning offering some relief to the front of the building.

National Pollutant Discharge Elimination System (NPDES) requirements would be met and exceeded in some cases by the proposed landscaping which would be incorporated with the stormwater that would be generated from the site. The site would also be required to meet all standard regulations that would govern a service station.

A number of trees would be removed from the site, although the applicant had agreed to plant 24-inch box trees along the street frontages and at the corners of the convenience mart to soften the entrance to the site. A bus turnout would be installed at Loveridge Road which would be functional. A right turn lane would also be dedicated for traffic traveling eastbound on Leland Road.

Mr. Barton reported that a traffic study had been prepared for the project which had addressed site access, circulation, parking, traffic generation and other potential impacts. The City Traffic Engineer had reviewed the traffic study and had concurred with the recommendations and findings contained therein, although staff had recommended that the applicant move the driveway farther west to the western edge of the property in order to assist those drivers exiting onto East Leland Road to access the left turn lane.

Mr. Barton advised that the project would also include one freestanding sign and six wall mounted signs. Three of the wall-mounted signs would be installed on the convenience store and three wall signs on the car wash. The wall sign area would be greater than that allowed by City Code in excess of 75 square feet. As a result, it was recommended that the size of the wall mounted promotional sign cases on the car wash and convenience store be reduced to meet the City’s requirements.

Mr. Barton advised that the freestanding sign had been proposed to be 12 feet in height. He suggested that the height of the freestanding sign would not be appropriate for the site given that it enjoyed high visibility from the intersection of Loveridge and East Leland Roads. It was recommended that the height of the freestanding sign be reduced in height not to exceed eight feet.

Mr. Barton recommended that the Planning Commission adopt Resolution No. 9310 recommending the approval of RZ-01-05, Resolution No. 9311 approving MS 679-01, Resolution No. 9312 approving UP-01-32, and Resolution No. 9313 approving DR-01-59.
Commissioner Glynn inquired when the traffic study had been prepared for the prior application for Exxon and on what basis had it been found to be inadequate, to which Mr. Barton clarified that a traffic study had not been prepared for the Exxon project in that Exxon had piggybacked off of the original traffic study that had been prepared in 1995 for Walgreens. At that time, the Planning Commission had been concerned with the circulation of the subject site. Those problems had been resolved and the Exxon application had been approved by the Commission at that time.

Commissioner Glynn inquired whether or not the delivery of fuel to the site through fuel trucks had been evaluated along with regular traffic.

Mr. Barton affirmed that such concerns had been reviewed at that time and for the subject project. He noted that the applicant had a plan which identified the circulation pattern for the fuel trucks. The traffic consultant had analyzed that configuration and the City's Traffic Engineer had concurred with the consultant's findings.

Commissioner Glynn inquired whether or not staff had visited any site where a service station, including a car wash component, had been similarly installed adjacent to residences and whether or not the potential noise impacts from the equipment had been examined.

Mr. Barton advised that the noise generated by the car wash had been reviewed with data provided by the applicant indicating the decibel level of the car wash. The City's General Plan had indicated that a decibel level of 60 dBA was within an acceptable level. Anything above 60 dBA would be conditionally unacceptable. The subject car wash facility would be 60 feet from the property line of the Loveridge Terrace Apartment complex and was expected to be at a 68-dBA level. Since the applicant would be installing an eight-foot masonry sound wall, staff was of the opinion that the sound wall would be adequate to shield any potential noise impacts. In addition, the garages for the apartment complex were positioned in front of the apartment which were farther behind the garages.

Commissioner Glynn inquired of the decibel level of traffic passing along Leland Road as it related to the approximate location of the existing residences when the current traffic study had been prepared, to which Mr. Barton clarified that the traffic study had not analyzed noise impacts.

Mr. Barton explained the General Plan addressed the average noise levels of interior streets. The traffic study had evaluated the circulation on the site, the traffic increased as a result of the project, the internal circulation access and other potential impacts.

As to the arrival of the Tri-Delta buses as a result of the bus turn out that had been proposed, Mr. Barton explained that the existing bus stop was situated up the street a ways on Loveridge Road.
The City’s Traffic Engineer and representatives from Tri-Delta Transit were of the opinion that since the project was being proposed it would be a good opportunity for the City to have a turnout east of the subject site.

Chairperson Holmes inquired of the rules, regulations or statutes concerning the business considering its proximity to Central Junior High School, particularly since the convenience store had proposed to sell alcohol.

Mr. Barton explained that the sale of alcohol in the convenience store would be regulated by Alcohol Beverage Control (ABC) which would require that the Police Department evaluate and approve the proposal as well as the PUSD. The sale of alcohol in the convenience store would depend on those approvals.

Commissioner Harris inquired of the time when the fuel trucks would deliver fuel to the site. He also inquired of the direction the fuel trucks would enter/exit the site. He expressed concern that the fuel trucks would have to cross three lanes to access the left turn lane heading north.

Mr. Barton advised that the fuel trucks would enter the site at Loveridge Road and exit onto East Leland Road.

Commissioner Harris also expressed concern that the original location of the driveway had been moved from the center of the property to the end of the property where stacking of vehicles in the left lane where a median strip was located would be a concern during peak periods. He recommended that the applicant improve the capacity of the stacking lane.

Commissioner Harris further disagreed that the placement of the sound wall would prevent any potential noise impacts to the adjacent two-story apartment complex, particularly since noise traveled. He suggested the consideration of a 12-foot sound wall. Additionally, he questioned the car wash hours of operation until Midnight and suggested that was too late for the car wash to operate.

Mr. Barton advised that a condition of approval had been recommended where if the car wash became a problem with the adjacent neighbors the car wash hours would be reduced accordingly.

PUBLIC HEARING OPENED

PROPOUNENTS:

PETE TOBIN, Tait & Associates, 1001 Galaxy Way, Suite 304, Concord, explained that the $10,000 traffic study that had been prepared for the project had focused on the right turn lane, the widening along Leland Road and how the intersection flow would operate.
Speaking to the site circulation, Mr. Tobin identified how the traffic patterns would operate where the tanker trucks would come from State Route 4 and not have to cross any lanes to access the site. There was sufficient room for the tanker trucks to close off the area where the pump islands were located. While the tanker trucks delivered fuel between 10:00 A.M. and 2:00 P.M., once completed, the trucks would be able to maneuver out of the site cleanly.

Mr. Tobin explained that the sidewalk was 230 feet where typically Caltrans required 150 feet. He noted that even with vehicles parked adjacent to the fuel islands, the site circulation would allow for passthrough traffic in either direction.

Speaking to the sound wall, Mr. Tobin explained that typically a six-foot sound wall would be required, although in this instance they had proposed an eight-foot sound wall and an additional 75-foot leg to minimize and dilute the noise generated from the car wash. If the leg were not provided, the sound from the car wash would travel from the exit from the car wash into the adjacent direction. Typically decibel levels at the intersection would be between 71 and as high as 75 dBA.

Mr. Tobin commented in response to concerns with the potential for crossing the three lanes of traffic with 235 feet of sidewalk should not pose a hazard since traffic would not move until everything was clear and safe. He suggested that with the onsite circulation at its maximum, traffic would not be pressured to exit the site. He otherwise agreed with all of the staff recommended conditions of approval contained in all of the resolutions presented to the Commission for consideration.

Commissioner Harris expressed his opposition to any Caltrans designs. He emphasized that the subject area was a congested and frequently traveled area in the City. With the addition of another lane, he expressed concern that the existing traffic congestion on Leland and Loveridge Roads would be exacerbated. He suggested that moving the driveway back a bit and opening up the stacking lane might alleviate some of his concerns.

Commissioner Glynn inquired of the status of discussions with the PUSD as related to the State Department of Education Code for the sale of alcohol within close proximity to a school property.

Chairperson Holmes referenced Resolution No. 9312, Condition of Approval No. 31, and inquired whether or not the applicant was in agreement with that condition.

Mr. Tobin reiterated that he was in agreement with the staff recommended conditions of approval. He recognized that a use permit was a privilege, not a right, and that it was important to be a good neighbor.

CHRIS LAWTON, Arco service station, 4421 Elliott Ranch Road, Elk Grove, advised that they had worked with the City’s Engineering staff on the traffic issues and the widening of
the street. He pointed out that the project would offer a unique quality with solar canopies that would be the first offering in the northwest. The canopies would be capable of operating everything underneath, including the lights and dispensers.

In response to Commissioner Glynn, Mr. Lawton, explained that he had spoken with the Superintendent of the PUSD whose only stipulation was that they not sell items to any students one hour before and one-hour after school. They had agreed with that stipulation.

Commissioner Glynn recommended that the applicant contact the State Department of Education to learn what the current requirements were for the number of feet distance from the school property whereby the applicant could not sell alcoholic beverages. While he suggested that the comment from the Superintendent was reasonable, he did not believe it had addressed the question.

JIM DAVIS, Real Estate Manager for Arco service station, explained that an Alcoholic Beverage Consultant would evaluate company owned sites and determine what schools were within close proximity to a potential site. The close proximity was determined by the local ABC offices. He acknowledged that Central Junior High School would be within 1,000 feet of the subject facility. Because of that, Arco would be required to obtain a Public Convenience and Necessity Letter from someone appointed with the City of Pittsburg authorized to write such a letter. In this instance, Commander William Hendricks was authorized to prepare such a letter.

Mr. Davis explained that they had met with Commander Hendricks and had discussed the proposal and Arco's Beer and Wine Program, the number of coolers set aside that sold beer and wine and the types of wine sold. After discussing the program and their training with Commander Hendricks, they had learned that the City had a Shoulder Tap Program, where they could work hand-in-hand with the City Police Department to be outside of their facility doing sting operations to deal with those under 21 years of age attempting to purchase alcohol at the site.

Commissioner Glynn commented that as a retired public school administrator who had dealt with such issues in his capacity working in San Jose he did not find that as a satisfactory way to address the situation.

Commissioner Garcia advised that he had spoken with Commander Hendricks regarding the proposal and the regulations as to the proximity of the facility to a school. He understood that Commander Hendricks would be placing strict conditions on whatever could be sold in the convenience mart.

Commissioner Garcia pointed out that there were other businesses within close proximity to the school, including a 7-11, which sold beer and wine and other products, a Shell Station located across the street and a deli which sold beer and wine behind the high school.
Across from the primary and intermediate schools was a market which also sold similar products.

Commissioner Garcia noted that he had also reviewed the traffic study that had been prepared for the project. He suggested that the hours proposed for fuel delivery during off peak hours would help control the traffic in the area. Familiar with the area and a resident of the immediate area, he acknowledged that the intersection was busy during the peak periods in the morning and afternoon when the traffic started to stack up.

Commissioner Garcia suggested that the project was a good project. He acknowledged that he had supported the previous service station proposal for the subject property. He suggested that the applicant had done a lot of work on the building architecture and he supported more gas stations in the community to be more competitive.

Commissioner Garcia suggested that the community was lacking in the major brands that were available and needed more major brands to be competitive. As to the bus stop turnout, he suggested that it would help, particularly since the existing bus stop blocked traffic traveling south on Loveridge Road when the bus stopped to pick up passengers.

Commissioner Garcia commented that he had viewed the property and suggested that between the car wash, an eight foot masonry wall and 20 feet of enclosed garages, street carports and the apartments, in his opinion that would address any potential noise impacts. As to the hours of operation for the car wash, he suggested that there would not be too many people who would wash their vehicles after 10:00 P.M. He pointed out that the property had remained vacant for years since the City had expected the hospital to build more doctors offices and medical related businesses. With the elimination of the hospital, there was no reason to keep the property vacant.

Commissioner Harris inquired whether or not the applicant owned the property, to which Mr. Davis clarified that they were in contract to purchase the property pending approval of the permits from the City.

Mr. Davis added that eventually they planned to sell the other parcel. He recognized that the City did not want to see another fast food outlet in that location. As such, they would work to ensure that the property was sold for a sit down restaurant or other similar business. He pointed out that they were not at the point of entering into agreements to sell the property since they did not yet own the property.

Referencing the ABC requirements, Mr. Davis noted that Arco/AMPM more than any gasoline station/convenience store operation had a very in depth alcohol and tobacco training program along with crime prevention programs.

Mr. Davis commented that they dealt hand in hand with city Police Departments to address
crime and to ensure no secondary sales to minors. All employees and assistant managers were appropriately trained to sell alcohol with validated IDs only. In the event that employees sold to minors, they were released from employment and potentially arrested. He pointed out that there were other operators who did not adhere to alcohol awareness programs and sold such products to minors. He emphasized that they would not sell to minors, and that they would ensure well-illuminated and operated facilities.

Mr. Davis added that oftentimes an Arco AMPM convenience store had such high sales the smaller stores in a community that were breaking the law and selling to minors would go out of business.

Commissioner Leonard referenced Condition No. 27 of Resolution 9312 related to the hours of operation for the car wash facility and requested that the hours be modified to scale back the late hour to 10:00 P.M. versus Midnight. He also suggested that the 6:00 A.M. start time be extended. He inquired whether or not that would be acceptable to the applicant.

Mr. Davis supported the suggestion for a later opening and earlier closing of the car wash operation.

Commissioner Ramirez noted that one of the problems with teenagers loitering around convenience stores was the availability of coin operated video games or amusement devices. He inquired whether or not the facility would have such equipment in the operation, to which Mr. Davis advised that the facility would not carry such equipment.

Also speaking to the hours of operation for the car wash, Commissioner Glynn suggested that the hours of operation be further amended from 7:00 A.M. to 9:00 P.M., particularly due to the proximately of the adjacent residents, while also taking into consideration Daylight Savings Time. He recommended that the first sentence of Condition No. 27 of Resolution No. 9312 be amended as follows:

27. The proposed car wash and vacuum units shall only operate between the hours of 7:00 A.M. and 9:00 P.M.

Mr. Davis commented that logically that would sound reasonable and would be acceptable.

Commissioner Glynn also spoke to the sale of alcohol and commented that while it might be that it would be acceptable for the applicant to have required correspondence from Commander Hendricks, he would almost guarantee that had he the time to review all of the businesses in the area that also sold alcohol products within close proximity to the school facilities within the City, he doubted that 20 percent of those businesses would have such correspondence.

Commissioner Glynn pointed out the State Department of Education Code requirement
limiting the sale of alcoholic beverages within a thousand feet of school facilities had been in effect when all those other businesses similarly selling alcoholic beverages had been approved.

Commissioner Harris disagreed with Commissioner Garcia that there would be no traffic impacts in the area. Since he had an office on Garcia Avenue, he noted that between the lunch period between 12:00 and 2:00 P.M. the area was already congested during the time when the fuel trucks had been scheduled to bring fuel to the site. As to the stacking lane, he requested that the applicant meet with the City Engineer to potentially move the driveway and extend the stacking lane to prevent possible traffic hazards.

Mr. Davis suggested that they could work with City staff to possibly eliminate the stacking as much as possible. He agreed with the need for easy access into the facility and he pointed out that since the facility was large they would have easy access out of the site.

BRUCE OHLSON, a resident of Pittsburg, representing the East Bay Bicycle Coalition and Delta Peddlers Bicycle Club, advised that the bicycle community would like assurance that the existing bicycle lanes on Loveridge and East Leland Roads would be maintained if the project were ultimately approved. While not suggesting the prohibition of the construction of the proposed right turn lane, he requested that the Planning Commission mandate the maintenance of the current level of bicycle access on East Leland Road, which would be a marked four foot bike lane between the through lane and the right turn lane, similar to what existed on southbound Loveridge Road at the intersection.

Mr. Ohlson pointed out that the design had been described in the American Association of State Highway of State Highway Transportation Officials Greenbook which had been adopted by the City. He also noted that bicycle access on the two streets had also been called for in the recently adopted General Plan.

Mr. Barton explained that the City's Traffic Engineer had preferred that the existing bike lane continue and not be shifted to the right.

Civil Engineer II Alfredo Hurtado clarified that the bike lane would follow the lane such as had been done for Crestview Drive which was in the middle of the bike turn lane and would continue to the next street. As to the exit concerns, he identified the right turn lane and commented that the bike lane might have to be moved to the west side to allow for truck traffic.

Commissioner Harris reiterated his request that the exit be moved to the property line and that the stacking lane be extended. He reiterated his recommendation that the applicant work with City Engineering staff to address that concern. With that, he would have no problem with the project.
Mr. Tobin expressed the willingness to work with staff to address those concerns. He noted that the sidewalk would be widened and with the trees to be removed they would be farther away from the sidewalk providing safer conditions.

Commissioner Garcia stated for clarification purposes that the left turn lane off of East Leland Road was the area being recommended by Commissioner Harris for the lengthening of the stacking lane since vehicles were currently backing up into the right hand straight lane.

Mr. Hurtado expressed the willingness to work with the developer on that recommendation.

Commissioner Ramirez advised that the new road that made a right turn on the map provided by the applicant had shown that as a new left turn lane, which should be corrected to reflect a new right turn lane.

Mr. Tobin affirmed that the map should have identified the right turn lane.

Commissioner Glynn commented on the bike lanes and suggested that there was a potential for a traffic and safety hazard if a bike lane was placed to the left of the right turning lane which was basically in the middle of the street. If a bicycle lane were required along that elevation, he inquired how much frontage would be available to provide for a four-foot bicycle lane. He clarified with Mr. Tobin that the bike lane was just being moved over one lane into the middle of the street.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: RZ-01-05

Motion by Commissioner Garcia to adopt Resolution No. 9310, recommending that the City Council approve RZ-01-05 to rezone a 3.55 acre site at the southwest corner of East Leland Road and Loveridge Road from CO (Office Commercial) to CC (Community Commercial) to allow a service station for "Arco Service Station," with the conditions as shown. The motion was seconded by Commissioner Leonard and carried by the following vote:

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

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MOTION: **MS 679-01**

Motion by Commissioner Garcia to adopt Resolution No. 9311, approving MS 679-01, a Tentative Parcel Map for a Minor Subdivision, for Arco service Station, with the conditions as shown and with the applicant directed to work with City Engineering staff to possibly extend the median lane so that the left turn stacking lane heading east could accommodate more stacked vehicles. 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

MOTION: **UP-01-32**

Motion by Commissioner Garcia to adopt Resolution No. 9312, approving UP-01-32, a Use Permit for a service station with convenience store and car wash at the southwest corner of East Leland Road and Loveridge Road for "Arco Service Station," with the conditions as shown and with the amendment to Condition No. 27, as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

MOTION: **DR-01-59**

Motion by Commissioner Garcia to adopt Resolution No. 9313, approving DR-01-59, design review approval of architectural drawings to construct a convenience store, fuel pump island, canopy, car wash, one freestanding sign and six wall signs at the southwest corner of East Leland Road and Loveridge Road for "Arco Service Station," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

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Chairperson Holmes 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.

COMMISSION CONSIDERATIONS:

Item 2: Nextel Wireless Communications Antennas at Fort Knox Storage. DR-02-03.
Application by Peter Hilliard of Nextel Communications requesting design review approval of architectural plans to mount 12 wireless telecommunications panel antennas onto the roof of an existing self-storage building located at 3865 Shopping Heights Lane, CO-O (Office Commercial with a Limited Overlay) zone; APN 088-072-065.

Assistant Planner Dana Hoggatt presented the request from Peter Hilliard of Nextel Communications requesting design review approval of architectural plans to mount 12 wireless telecommunications panel antennas onto the roof of an existing self-storage building located at 3865 Shopping Heights Lane, in a CO-O zone.

The applicant proposed to install the wireless telecommunications antennas on the former Radiant Life Building farthest to the north on the subject site. The applicant proposed to attach 12 wireless telecommunications panel antennas, consisting of three sectors, each consisting of four panel antennas. The applicant also proposed to install three global positioning systems mounted on the top of the roof of the Fort Knox Self-Storage building. The proposed use of wireless telecommunications antennas was defined in the Pittsburg Municipal Code as a Minor Utility, which was allowed in the CO-O zone since they would provide a public utility service to existing developed areas within the City. The application was also consistent with the General Plan.

The maximum building height in the CO-O zoning district was 35 feet, although panel antennas and similar structures could actually exceed the maximum height limit by 20 feet. The maximum height of wireless telecommunications antennas could be 55 feet in the CO-O district. The height of the proposed antennas would measure from 36 to 37 feet from grade.

Ms. Hoggatt did not anticipate a substantial impact for the project since the support structures for the antennas would be hidden by an existing mechanical screen on the roof. While the panels would be visible, they would be small in size, approximately four feet in height and not very noticeable. They would also be painted beige to match the color of the body of the building.

The project would be exempt from the requirements of the California Environmental Quality
Act (CEQA) under Class Three, New Construction and Conversion of Small Structures.

Ms. Hoggatt recommended that the Planning Commission adopt Resolution No. 9314, approving DR-02-03, with the conditions as shown.

Commissioner Garcia inquired whether or not the project involved existing antennas that had to moved from property adjacent to State Route 4 as a result of the future road widening, to which Ms. Hoggatt explained that around a year ago there had been an application to install wireless telecommunications facilities on the roof of the Acorn Self Storage facility located on Railroad Avenue, which application had ultimately fallen through. The applicant now proposed to locate on the roof of the Fort Knox Self-Storage facility site. As such, that did not represent a relocation of existing antennas.

Commissioner Harris pointed out that representatives from Fort Knox Self-Storage facility had been invited to appear before the Commission to address the status of their project. He expressed concern that they were now requesting approval of the antennas on their building and had not responded to the Commission to address prior concerns. While he recognized that those issues were not related to the subject application, he was disappointed with the lack of response from the property owner of the self-storage facility.

PUBLIC HEARING OPENED

PROPONENT:

PETER HILLIARD, Nextel Communications, 1255 Treat Boulevard, Suite 800, Walnut Creek, advised that he had read the staff report and was in agreement with the staff recommended conditions of approval.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9314, approving DR-02-03, design review approval of plans for the installation of 12 wireless telecommunications antennas at Fort Knox Self Store for Nextel Communications, with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

April 9, 2002
Chairperson Holmes 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.

**Item 3: Whiteway Signs - Rezoning Resolution of Intent.**

City-initiated proposal to study the rezoning of 0.25 acres from RS (Single-Family Residential) to a non-residential zoning designation to allow Whiteway Sign Company to place a billboard sign on a site located north of the terminus of Frontage Road and south of State Route 4; APN 087-270-000.

Mr. Jerome explained that the resolution of intent was required by either the City Council or the Planning Commission. He noted that the mechanism would allow the initiation of a study for purposes of rezoning. In this instance, the Planning Commission was being asked to direct staff to initiate a study to rezone property for a certain use.

Assistant Planner Dana Hoggatt presented the City-initiated proposal to study the rezoning of 0.25 acres from Single-Family Residential to a non-residential zoning designation to allow Whiteway Sign Company to place a billboard sign on a site located north of the terminus of Frontage Road and south of State Route 4.

Ms. Hoggatt explained that the City had a proposal to place a billboard sign in that location of the Frontage Road south of State Route 4, although since it would be near the Caltrans right-of-way, Caltrans required that the sign company obtain a permit although Caltrans would not issue permits for signs in residentially zoned areas. In order for the sign to be placed at the site, a zone change would be required from residential to a non-residential zoning designation.

Ms. Hoggatt recommended that the Planning Commission adopt Resolution No. 9315, directing staff to conduct a study of the proposal to rezone the 0.25 acre site located near the western terminus of Frontage Road and south of State Route 4.

**PUBLIC HEARING OPENED**

**PROPOSENT:**

BRAD NAIL, City of Pittsburg Economic Development Department, explained that staff had an excellent opportunity to promote the City. He advised that he had been working for some time with Whiteway Sign Company on a proposal for the construction of a reader board for a color programmable sign. The sign itself had been proposed to be located by Bailey Road at the base of the Alves property in a drainage area. The reader board sign would be owned and operated by the City and used to promote local small businesses and
local events in the City.

The cost of the sign would be approximately $450,000, with the maintenance to cost $1,500 per month. Electrical costs would be $500 per month.

The proposal would involve Whiteway Sign Company building the sign which would be owned by the City at no cost to the City. The exchange for that proposal would be a single standard billboard to be located on State Route 4 at the end of Frontage Road near an existing pump station and close to a sound wall that had recently been constructed along State Route 4.

Whiteway Sign Company would build and maintain the reader board sign for a 15-year period and would also pay the electrical costs for that time period, at no cost to the City.

Mr. Nail explained that once the subject property was rezoned, Whiteway Sign Company would proceed to Caltrans to obtain proper permits for the signs to be constructed. He noted that the City was able to proceed with the proposal because of the Redevelopment Agency and the fact that the sign would be located in a redevelopment area.

Commissioner Ramirez commented that the proposal sounded good and he liked the fact that the company would be responsible for the expense and maintenance to operate the sign for a 15-year period. Since the billboard sign would sit on property that had a water well site, he questioned whether or not there would be impacts to that well.

Mr. Nail stated that the placement of the billboard sign near the water well was actually an existing operational pumping station for City water. The sign itself would not impact the pumping station since it would only be located adjacent to the pumping station.

Mr. Hurtado also clarified that the water from the pumping station fed into the City's Treatment Plant.

Commissioner Glynn inquired whether the reader sign would be permanently located at the proposed site for the entire 15 year period or whether it would be moved during that time period, to which Mr. Nail explained that originally the sign had been proposed to be located near Range Road although several Councilmembers and members of the public had preferred to see the sign situated towards the edge of town to allow the promotion of City events and to bring people into the City.

Mr. Nail also affirmed, when asked, that the sign would face traffic on State Route 4 heading east. The billboard sign proposed to be located off of State Route 4 would be visible from both sides of the freeway.

BRUCE OHLSON, a resident of Pittsburg, inquired what would happen to the billboard sign at the end of the 15-year period.
Mr. Nail explained that the agreement to place the billboard sign would be tied into the City's reader board sign where Whiteway Sign Company would have a 15-year agreement for their billboard sign. At the end of the 15-year period, a proper agreement would have to be negotiated. He reiterated that the reader board sign would be owned and operated by the City from the start, although the actual transfer of ownership of that sign would occur at the end of the 15-year period.

OPPONENTS: None

MOTION:

Motion by Commissioner Garcia to adopt Resolution No. 9315, a Resolution of Intent to study an amendment of the zoning designation of 0.25 acres located near the western terminus of Frontage Road and south of State Route 4, for "Whiteway Signs." The motion was seconded by Commissioner Leonard and carried by the following vote:

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

STAFF COMMUNICATIONS:

Mr. Jerome reported that a second letter of correspondence had been sent to both Wal-Mart and Fort Knox Self Storage at the request of the Planning Commission inviting representatives of those businesses to appear before the Commission to address issues of concerns.

Associate Planner Chris Bekiaris reported that John Campagna, the property owner for Fort Knox Self-Storage, had contacted staff advising that he and his business partner would be in attendance during the April 23 meeting. Staff had received no response from Wal-Mart.

Mr. Jerome advised that the Planning Commission had been provided with a memorandum from the Mayor and City Council regarding policies and procedures for conduct regarding personal meals. In addition, a memorandum had been provided to the Commission from the Administrative Secretary regarding City policy where staff would not distribute the personal phone number of any Commissioner.

In addition, Mr. Jerome reported that the property owner of the building located at 446 Railroad Avenue at the corner of Fifth Avenue had removed the former façade. While the Building Department had issued a demolition permit for that work, the property owner had
gone beyond what had been permitted by the demolition permit.

Mr. Jerome reported that staff had requested that the property owner submit plans for the property since he had gone beyond the work he had initially proposed to the City.

**GENERAL PLAN UPDATE REPORT:**

Mr. Jerome advised that the Alves Ranch General Plan density consideration that the Commission had previously considered and forwarded to the City Council had been scheduled for Council consideration on May 6. It was likely that the proposal would be continued due to pending litigation that Alves Ranch LLC had brought against the City regarding the validity of the City's General Plan based on the action that had taken place.

Additionally, Mr. Jerome reported that the General Plan consultant had requested that the City's General Plan be submitted to the National American Planning Association for a possible national award.

**ZONING ADMINISTRATOR REPORT:**

Mr. Jerome reported that an application from Stone Harbor Subdivision for a fence exception had been scheduled for consideration on May 13.

**COMMITTEE REPORTS:**

Chairperson Holmes advised that he had attended the recent Traffic and Circulation Advisory Committee (TCAC) where public comment had been received from residents of Buchanan Road and where the TCAC had approved the widening of Buchanan Road heading east which would include two, four foot bike lanes.

**COMMENTS FROM COMMISSIONERS:**

Commissioner Harris reported that the church being developed by Francis Green was turning out nice and the grading and painting had been completed. He otherwise requested a status report from Building Official John Little on the status of the church project at the Vogue Theater.

Mr. Jerome noted that staff was constantly chasing after the contractor and the designer to obtain information on the Vogue Theater church project. Staff had also been working with the Fire Department on the same project.

Commissioner Glynn referenced a recent article in the *Contra Costa Times* regarding development around BART Stations which related to a previous Commission discussion of the Alves Ranch property.
Commissioner Ramirez spoke to a flyer provided to the Commission regarding a workshop to be held at the Concord Sheraton with respect to the Stormwater Quality Protection Runoff Regulations. He inquired how important that session would be since he understood that not only had Planning Commissioners been invited, but City/Town Managers, Planning and Public Works Directors had also been invited to that workshop. He inquired what City staff would be attending that workshop.

Mr. Jerome stated that he would attend the workshop along with Associate Planner Ken Strelo, City Engineer Joe Sbranti and Assistant City Manager Nasser Shirazi.

Commissioner Leonard commented on the future extension of State Route 4 which would necessitate the relocation of some City businesses. He requested a copy of information as to how California Avenue would actually be extended through North Park Drive. He noted the difficulty in finding locations to relocate existing auto body and other businesses that would be affected since those uses would not be viable on some City properties.

Mr. Jerome explained that staff had not yet been provided the final designs for the connector road. That information would be provided when available.

Commissioner Glynn expressed his appreciation to Councilmember Frank Quesada for his service on TRANSPLAN. He also thanked the City Traffic Engineer and all those involved in preparing a schedule of construction for all of the traffic programs identified for the area which had been distributed by the Pittsburg Chamber of Commerce. He expressed his hope that the document would be widely distributed since many inquiries had been made on the status of some projects. He also suggested that information should be published in the local newspaper.

Commissioner Garcia commented on his understanding that the area on Leland Road between Freed Way and Piedmont Drive had been rezoned from a residential use since the City Council had denied a project for single family housing on Leland Road which had been proposed some time ago. He inquired whether or not an auto body shop would be allowed in that area.

Mr. Jerome advised that the City Council had changed the referenced area back to residential in 1988.

Commissioner Garcia also understood that a piece of land on Loveridge Road adjacent to Pep Boys might be appropriate for an auto body business.

Chairperson Holmes reported that a four-way stop sign had recently been installed at Harbor and Garcia.
ADJOURNMENT

There being no further business, the meeting adjourned at 9:14 P.M. to a regular meeting of the Planning Commission on April 23, 2002, at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

RANDY JEROME, Secretary
Pittsburg Planning Commission