A regular meeting of the Pittsburg Planning Commission was called to order by Chairman Pro Tem George Harris at 7:30 P.M. on Tuesday, January 7, 2003, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

**ROLL CALL:**

Present: Commissioners Dolojan, Garcia, Harris, Kelley, Ramirez, Vice Chairperson Leonard  
(Vice Chairperson Leonard arrived during roll call)

Absent: None

Staff: Planning Manager Melissa Ayres; Associate Planner Ken Strelo; Planning Intern Gary Hsueh; and City Engineer II Alfredo Hurtado.

**REORGANIZATION:**

**Election of Chairperson and Vice Chairperson**

**Chairperson:**

Commissioner Garcia nominated Mark Leonard as the Chairperson of the Planning Commission. Commissioner Ramirez seconded the nomination. There were no further nominations. *Mark Leonard* was unanimously selected as the Chairperson of the Planning Commission.

When asked, Chairperson Leonard commented on his understanding that he would be serving the remainder of former Chairperson Glynn's yearlong term as Chair.

Commissioner Garcia nominated George Harris as the Vice-Chairperson of the Planning Commission. Commissioner Dolojan seconded the nomination. There were no further nominations. *George Harris* was unanimously selected as the Vice-Chairperson of the Planning Commission.
COMMITTEE APPOINTMENTS:

The Chairman made the following Committee Reappointments due to the vacancies created when former Commissioner Glynn was elected to the City Council.

<table>
<thead>
<tr>
<th>Committee</th>
<th>Appointee</th>
<th>Alternate</th>
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<tbody>
<tr>
<td>TRANSPLAN</td>
<td>Jack Garcia</td>
<td>Doris Kelley</td>
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<td>Traffic and Circulation Advisory Committee</td>
<td>George Harris</td>
<td>Doris Kelley</td>
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<td>School District Liaison Committee</td>
<td>Doris Kelley</td>
<td>Jack Garcia</td>
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<td>Historical Resources Committee</td>
<td>Mark Leonard</td>
<td>George Harris</td>
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<td>Industrial Zone Advisory Committee</td>
<td>Ralph Ramirez</td>
<td>George Harris</td>
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<td>BART Pittsburg/Bay Point Advisory Committee</td>
<td>Jack Garcia</td>
<td>Ralph Ramirez</td>
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<tr>
<td>Foreign Trade Zone</td>
<td>Orlando Dolojan</td>
<td>Ralph Ramirez</td>
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POSTING OF AGENDA:

Chairperson Leonard advised that the agenda had been posted at City Hall on Friday, January 3, 2003.

PLEDGE OF ALLEGIANCE:

Chairperson Leonard led the Pledge of Allegiance

DELETIONS/WITHDRAWALS/CONTINUANCES:

There were no deletions, withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

BRUCE OHLSON, Pittsburg, represented the East Bay Bicycle Coalition and requested that the Planning Commission agenda be placed on the City’s website. He also requested that a binder with the full Commission packet be made available on the dais at each meeting as was the case with City Council meetings.
Planning Manager Ayres expressed a willingness to see that the Commission packet was made available for public access at each meeting and that the Commission agenda be placed on the City's website.

PRESENTATIONS:

There were no presentations.

CONSENT:

A. Minutes: December 10, 2002 and December 17, 2002

MOTION:

Motion by Commissioner Garcia to adopt the Consent Calendar consisting of the minutes of the December 10 and December 17, 2002 meetings, as submitted. The motion was seconded by Commissioner Harris and carried by the following vote:

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

PUBLIC HEARINGS:

Item 1: First Baptist Church and Headstart Classroom Replacement. UP-02-28 & DR-02-28

This is a public hearing on an application by First Baptist Church requesting a use permit to legalize an existing church and preschool classroom, and design review approval of architectural plans to install a 1,440 square foot modular classroom to replace two existing 720 square foot modular classrooms located at 204 Odessa Avenue, Downtown Low Density Residential land use designation. APN 085-122-008.

Planning Intern Gary Hsueh presented the request from First Baptist Church requesting a use permit to legalize an existing church and preschool classroom, and design review approval of architectural plans to install a 1,440 square foot modular classroom to replace two existing 720 square foot modular classrooms located at 204 Odessa Avenue, in a Downtown Low Density Residential land use designation.

Mr. Hsueh reported that the item had been continued from the Planning Commission meeting of November 12, 2002 to allow the applicant to meet with staff to resolve issues of concern. Since that time, staff had received sufficient information from the applicant to be able to analyze the project and prepare resolutions of approval.
As part of the use permit request, Mr. Hsueh explained that two fence height exceptions were being requested, including a 6-foot wooden fence located along the south property line and a vehicle enclosure located on the northwest corner of the property.

Mr. Hsueh recommended that the Planning Commission adopt Resolution No. 9402 approving UP-02-28 and Resolution No. 9403 approving DR-02-28, with the conditions as shown.

PUBLIC HEARING OPENED

PROONENTS:

JANET ANDERSON CLARK, Executive Director, First Baptist Church Headstart, 204 Odessa Avenue, Pittsburg, advised that she had read the staff report and was in agreement with the staff recommended conditions of approval. She invited Commissioners to attend the Open House to be scheduled at the completion of the project.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: UP-02-28

Motion by Commissioner Kelley to adopt Resolution No. 9402, approving UP-02-28, a Use Permit to allow religious assembly and Daycare, General at 204 Odessa Avenue, for "First Baptist Church Headstart," with the conditions as shown. The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

MOTION: DR-02-28

Motion by Commissioner Kelley to adopt Resolution No. 9403, approving DR-02-28, Design Review approval of architectural and site development plans to install a 1,440 square foot modular classroom to replace two existing 720 square foot modular classrooms at 204 Odessa Avenue for "First Baptist Church Headstart," with the conditions as shown. The motion was seconded by Commissioner Harris and carried by the following vote:

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

Item 2: Pittsburg Towne Center Minor Subdivision. MS-676-02

This is a public hearing on an application by Robert Berger requesting approval of a tentative map to subdivide a 7.73-acre lot into four parcels (Parcel 1 - 5.22 acres, Parcel 2 - 1.48 acres, Parcel 3 - 0.54 acres, Parcel 4 - 0.50 acres). Project encompasses Pittsburg Towne Center located at the northeast corner of Railroad Avenue and Atlantic Avenue in the CC (Community Commercial) District. APN 088-121-013, 021, and 022.

Associate Planner Ken Strelo presented the staff report. Mr. Strelo explained that on August 13, 2002, the Planning Commission had approved an application for a Walgreens retail store on the site, with the subdivision essentially taking what had been approved for that design review and site development and splitting up the Walgreens building into a separate parcel. The large building located to the east of the lot would be split into another parcel with access to Railroad Avenue. Buildings currently located near the East Bay Municipal Utility District (EBMUD) trail would be demolished as part of the Walgreens construction and be relocated near Atlantic Avenue. The existing gas station is a separate parcel. He advised that the applicant had presented a colored site plan showing the four individual parcels that would comprise the minor subdivision.

Mr. Strelo explained that the General Plan encouraged the preservation of options for future transit use when designing improvements for roadways and to ensure that developers provided bus turnouts and/or shelters where appropriate as part of projects. Staff is recommending that the developer dedicate adequate land for a bus turnout. At some time in the future when deemed necessary, the City will proceed to construct those improvements, as reflected in Condition No. 13.

Referencing Condition No. 11, Mr. Strelo explained that Condition No. 11 would allow customers and employees cross-parking rights and access to and from each of the parcels in the minor subdivision from any of the driveways. Walgreens has however requested that a certain number of parking spaces be exclusively designated to the Walgreens building. Mr. Strelo reported that staff was agreeable to revising Condition No. 11 to reflect that the Walgreens building shall maintain exclusive rights to a minimum required parking spaces, as per the City’s Municipal Code.

Mr. Strelo recommended that the Planning Commission adopt Resolution No. 9400, approving MS-676-02, subject to conditions.

PUBLIC HEARING OPENED

PROPOONENTS:
JAMES HEILBRENNER, 1600 South Main Street, Suite 275, Walnut Creek, advised that he had read and was in agreement with the staff recommended conditions of approval.

Speaking to the exclusive parking issue, Mr. Heilbrenner noted Walgreens would not be policing or signing site for exclusive parking, but it was important to them never the less to have it on paper. He said provisions could be added to project CC&Rs that would ultimately return to staff for review and be recorded along with the parcel map. He commented that with the overage of parking on the parcel and the site in general, it had been determined that the protection of some parking would not be a big issue since Walgreens preferred to protect some parking in the event of misuse by commuters, vehicles for sale or employee parking.

Mr. Heilbrenner also acknowledged that the owners of the property had agreed to dedicate the land to the City for the bus turnout to be built by the City at such time as funds and the need had been identified.

BRUCE OHLSON, Pittsburg, representing the East Bay Bicycle Coalition and the Delta Peddlers, requested that bicycle racks be placed in the front of the Walgreens store or other stores in the center. Given that the applicant had agreed to dedicate land for a future bus turnout and shelter, he requested the dedication of land for bicycle lanes along Railroad and Atlantic Avenues fronting the project.

In response to Commissioner Harris, Mr. Ohlson explained that he was representing the bicycle communities of Bay Point, Antioch and Pittsburg. All other communities in the County were represented by other bicyclists.

Mr. Heilbrenner acknowledged that most cities in the Bay Area had bicycle rack requirements, although the City of Pittsburg had included no such requirements in its Zoning Ordinance. In this instance, he stated that he had no problem providing a bicycle rack at Walgreens and at the opposite end where another retail store would be located. Mr. Strelo advised that an additional condition could be included to reflect the applicant’s willingness to install two bicycle racks, as noted.

Since the requirement for bicycle racks was not part of the City's Municipal Code, Chairperson Leonard recommended the inclusion of that standard with the next review of the code.

PETE CARPINO, Pittsburg, requested the inclusion of a condition to prohibit the placement of storage units outdoors in the Walgreens parking lot. He noted past concerns and referenced the Wal-Mart, as an example where large containers had been placed in the parking lot displacing parking spaces and in violation of the City’s regulations.
Mr. Strelo clarified that outdoor storage was permitted pursuant to the City's Municipal Code through the approval of a Temporary Activity Permit. While a condition could be imposed to address such concerns, he urged caution not to eliminate the future possibility of having an outdoor retail sale as permitted through the approval of a temporary permit.

Commissioner Garcia understood that all commercial uses prohibited outdoor storage without a permit and that concern would be automatically covered. He suggested that a review of the conditions for the Wal-Mart store would find that outdoor storage had been prohibited in that instance as well.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: **MS-676-02**

Motion by Commissioner Garcia to adopt Resolution No. 9400, approving MS-676-02, a Tentative Map for a Minor Subdivision for the Pittsburg Towne Center Shopping Center located at Railroad Avenue and Atlantic Avenue, with the conditions as shown and as modified, and with an additional condition that the applicant shall install two bicycle racks in the center. The motion was seconded by Commissioner Ramirez and carried by the following vote:

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

**COMMISSION CONSIDERATION:**

**Item 3: Pittsburg Towne Center - Exception to Sign Ordinance and Amendment to Master Sign Program. DR-02-43**

This is an application by Robert Berger requesting an exception to the City Sign Ordinance and an amendment to the approved Master Retail Sign Program for the Pittsburg Towne Center shopping center to allow installation of an electronic reader board on Monument Sign #1. The shopping center is located at the northeast corner of Railroad Avenue and Atlantic Avenue in the CC (Community Commercial) District. APN 088-121-013, 021, and 022.

Associate Planner Strelo presented the staff report. Mr. Strelo reported that on August 13, 2002, the Planning Commission had approved a Master Sign Program as part of the
design review for the center, which had incorporated three monument signs. He advised that the proposed sign would have an electronic reader board with changeable copy and which would include the advertisement of merchandise.

Pursuant to the City's Municipal Code, Mr. Strelo stated that a reader board had been defined as "a permanent structure upon which is displayed advertising material or copy of a temporary of changeable nature such as a bulletin board or a theater marquee." The Sign Ordinance had specifically mentioned reader boards as types of signs allowed for churches and institutions and theaters. Since reader boards were not specifically mentioned as allowed signs for retail uses, a sign exception was required with approval through the Planning Commission.

Mr. Strelo identified the required findings to be made to approve a sign exception, including requirements that the sign meet all regulations for signage in terms of size and height including requirements that the sign shall not be inconsistent with the intent and purpose of the Sign Ordinance, and that the sign shall meet four separate findings as identified in the staff report.

Mr. Strelo explained that staff had reviewed the proposal with the applicant and had determined that the sign was in conformance with the proposed sign height and size. The sign was approximately 48 square feet in size. Approximately 17 square feet would comprise the electronic reader board.

Mr. Strelo reported that staff believed the Commission could find that the sign would be consistent with the intent and purpose of the Sign Ordinance. While the sign did include a reader board with advertising, the primary purpose of the sign would still be to identify the Walgreens business because the percentage of the sign space devoted to the reader board would represent only 35 percent of the sign area. The applicant had also offered to program the reader board for 15% of the time to provide public service announcements, such as time and temperature reports and Amber Alerts. He advised that there were currently no reader boards in this portion of the City to provide such a public service.

Mr. Strelo identified Condition Nos. 6 through 11, which would be incorporated into the Master Retail Sign Program to take into consideration the electronic reader board sign. He also clarified that minor architectural changes would be made to the other two monument signs to tie into the design for Monument Sign #1.

Mr. Strelo further explained that the electronic reader board would operate as a typical message board with no less than 12 seconds between messages to prevent flashing or distracting signage to passing motorists.

PROPOGENTS:
JAMES HEILBRENNER, 1600 South Main Street, Suite 275, Walnut Creek, explained that Walgreens utilized electronic reader boards as a way to keep clutter off of their buildings. Walgreens had found that the use of electronic reader board signs had increased their sales and was a positive in the community since it could provide some civic display of information. He explained that the sign would be operated by the store itself through a computer system and would only operate during store business hours. He also noted that the changes made to the two other monument signs would consist of minor architectural changes to better tie into the architecture of the first monument sign.

Chairperson Leonard liked the proposal and stated that any use of the electronic reader board for public service announcements or the announcement of events in the City would be appreciated.

MOTION: DR-02-43

Motion by Commissioner Garcia to adopt Resolution No. 9401, approving DR-02-43, Design Review approval of a Sign Exception and amendment to the Master Retail Sign Program for the Pittsburg Towne Center located on the northeast corner of Railroad Avenue and Atlantic Avenue for "Pittsburg Towne Center Master Sign Program Amendment," with the conditions as shown.

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

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

STAFF COMMUNICATIONS:

Ms. Ayres advised that a memorandum from the Director of Planning and Building officially turning over the duties of the Secretary of the Planning Commission to her as the Planning Manager had been provided in the Commission packets. In addition, she presented the Commission with copies of an annual once a week status report from the Code Enforcement Bureau, which would be, provided in the Commission packets on a regular basis.

COMMITTEE REPORTS:

There were no committee reports.
COMMENTS FROM COMMISSIONERS:

Commissioner Garcia expressed his appreciation to staff for working with the First Baptist Church to resolve the issues with the proposal allowing the project to proceed.

Chairperson Leonard reported on a traffic concern that he would like to be forwarded to the Traffic and Circulation Advisory Committee (TCAC) for consideration. He noted that the area of West Eighth Street was being improved, although he understood that rather than having one-way traffic on Eighth Street on the east side there would be two way traffic between Cumberland Street and Railroad Avenue. With the work associated with the nearby park, he noted that large concrete decorative boulders had been moved, creating an obstruction to traffic traveling along Eighth Street. He also noted that while there had been some allowance for parking adjacent to the park, the old curb had never been removed preventing the space allocated for parking on Eighth Street to be used for parking.

Commissioner Harris expressed the willingness to raise the issue with the TCAC. Referencing the area of Stoneman Avenue where the 7-Eleven was located, he commented that the TCAC had discussed the cones that had been damaged by vehicles cutting across the roadway to Harbor Street, with a request that the cones be replaced and that cones also be added farther up the street. He noted, however, that only those cones that had been missing had been replaced.

Commissioner Harris commented that he had also made a request through the TCAC and the City's Traffic Engineer for the placement of a 6 inch high curb with the cones on the top to prevent vehicles from driving over, although that request had not yet been considered.

Commissioner Harris also reported that the TCAC had recommended the replacement of the existing traffic cones on Linscheid Drive at the right hand turning lane where Oil Changers was located. He further reported a concern at California Avenue and Harbor Street in the left hand turn lane where a concrete wall had been placed as a result of the freeway improvements. The concrete wall traveled from Railroad Avenue to California Avenue past Harbor Street and came out to a point and then traveled out straight. Having recently traveled in the area, he described a situation where his vehicle had been forced into the wall damaging his tires, which had to be replaced. Since the concrete wall came to a point and stuck out, he emphasized the dangerous situation and stated that he would request that the wall be modified to address that concern.

Chairperson Leonard understood that at the same intersection there was a pole that had been sticking up in the middle of the intersection on the north side, also creating a potential safety and traffic hazard that should be addressed.
Commissioner Garcia suggested that a three-way stop was necessary in that area in that there was only a stop sign for traffic traveling south.

Commissioner Kelley also reported on a problem at the intersection of Buchanan Road where traffic had routinely blocked the intersection. She requested that concern also be forwarded to the TCAC.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:20 P.M. to a regular meeting of the Planning Commission set for January 28, 2003 at 7:30 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.

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MELISSA AYRES, Secretary
Pittsburg Planning Commission