A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Mark Leonard at 7:03 P.M. on Tuesday, November 25, 2003, in the City Council Chambers of City Hall at 65 Civic Avenue, Pittsburg, CA.

ROLL CALL:

Present: Commissioners Dolojan, Garcia, Harris, Tumbaga, Chairperson Leonard

Absent: Commissioner Kelley

Excused: Commissioner Ramirez

Staff: Director of Planning and Building Randy Jerome; Planning Manager Melissa Ayres; and Senior Civil Engineer Alfredo Hurtado.

PLEDGE OF ALLEGIANCE:

Commissioner Garcia led the Pledge of Allegiance.

DELETIONS/WITHDRAWALS/CONTINUANCES:

There were no deletions, withdrawals or continuances.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

There were no presentations.

CONSENT:
a. PC Minutes November 12, 2003

MOTION:

Motion by Commissioner Garcia to approve the Consent Calendar, as shown. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

Item 1: Empire Business Park Rezoning AP-03-46 (RZ)

Public hearing on an application by Stan Davis, requesting: 1) rezoning of a 4.22 acre parcel from IP (Industrial Park) District to IP-O (Industrial Park with a Limited Overlay) District resulting in changes to permitted uses, conditionally permitted uses, and limited uses, and 2) rezoning of a 35.95 acre parcel from IP (Industrial Park) District to IP-O (Industrial Park with a Limited Overlay) District resulting in changes in permitted uses, conditionally permitted uses, limited uses, and development regulations related to primary building height, maximum lot coverage, and maximum floor area ratio. The properties are located on the south side of Willow Pass Road. The 4.22-acre parcel lies between the 35.92-acre parcel (701 Willow Pass Road) and Heritage Pointe Residential Subdivision.

Planning Manager Melissa Ayres presented the staff report dated November 25, 2003. She recommended that the Planning Commission adopt Resolution No. 9458, recommending City Council approval of AP-03-46 (RZ), with the conditions as shown.

Ms. Ayres advised that Exhibit B, Attachment 3 to the staff report was to be replaced with a new copy, which had been presented to each Commissioner at the dais. The new Exhibit B, Attachment 3 had been negotiated with the developer as the final set of conditions.

In response to Commissioner Garcia, Ms. Ayres affirmed that the resolution presented to the Commission was correct and did not need to be revised to be compliant with the new Exhibit B, Attachment 3.

PUBLIC HEARING OPENED

PROPOSENT:

JAMES MILLER, Project Architect, took the opportunity to thank Planning staff and the City's Economic Development Department for its assistance in the creation of the business park. He stated that the proposed overlays would be concise and specific for each of the lots. With the thoughtful suggestions of staff and the long-term vision of the
building owners he added that they had been able to prepare zoning for the sites that would allow new tenants without the requirement for a use permit. He concurred with the staff recommendations and conditions of approval.

STAN DAVIS, 1023 Bird Avenue, San Jose, speaking from the audience advised that he had read and was in agreement with the staff recommended conditions of approval.

OPPONENTS: None

PUBLIC HEARING CLOSED

MOTION: AP-03-46 (RZ)

Motion by Commissioner Garcia to adopt Resolution No, 9458, recommending the City Council adopt AP-03-46 (RZ), an ordinance establishing two IP-O (Industrial Park with a Limited Overlay) Districts on two separate parcels located at 701 Willow Pass Road for the “Empire Business Park Rezoning,” with the conditions shown in Exhibit A attached to the staff report dated November 25, 2003, as revised. The motion was seconded by Commissioner Tumbaga and carried by the following vote:

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

STAFF COMMUNICATIONS:

Notice of Intent to process the following items at staff level.

a. AP-03-72 (DR) Caprio Building (Color Change)
b. AP-03-62 (DR) Winter Honda Freestanding Sign

Ms. Ayres reported that the Notice of Intent items, as presented, would be approved by staff consistent with the Commission’s direction to delegate smaller and non-controversial projects to staff for approval, unless the Commission chose to call them up. The Commission did not.

Chairperson Leonard commented that he had received a number of comments on the Winter Honda sign and he was uncertain whether or not the matter should be considered by the Commission.

Ms. Ayres clarified that any project, which included a request for an exception, would automatically be presented to the Planning Commission and would not be approved at the staff level. She otherwise advised that Bailey Estates had been scheduled for Commission consideration at its December 23, 2003 meeting. She questioned whether or
not there would be a quorum of Commissioners present at that meeting which the applicant had requested.

The five Commissioners present indicated that he/she would be present for the December 23, 2003 meeting.

Mr. Jerome reported that the Housing Element had recently been adopted by the City Council. He commented that he had also had a telephone conversation with the State Housing and Community Development Department (HCD) and it looked positive that the document could be found to be compliant with State law with generally minor changes. He reported that staff would be working with the consultant to make the changes requested by HCD to the document that would be returned to the Commission and Council in early 2004 for minor amendments.

Mr. Jerome added that the City Council had hired an Interim City Manager, Les White, who would occupy the position on December 15, 2003. Current City Manager Willis Casey would retire on December 10.

On behalf of planning staff, Mr. Jerome wished everyone a Happy Thanksgiving.

In response to Commissioner Harris’ request to invite the Interim City Manager to a future Planning Commission meeting, Mr. Jerome stated that he would extend that invitation.

COMMITTEE REPORTS:

There were no Committee reports.

COMMENTS FROM COMMISSIONERS:

In response to Commissioner Dolojan, Ms. Ayres explained that each Commissioner had been presented with a flyer for a class offered by U.C. Davis Extension on Land Use Natural Resources. Commissioners interested in attending the class were asked to contact staff so that arrangements could be made.

Best wishes for a Happy Thanksgiving were offered by all.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:20 P.M. to a regular meeting of the Planning Commission on December 9, 2003 at 7:00 P.M. in the City Council Chambers at 65 Civic Avenue, Pittsburg, CA.