MINUTES
OF A REGULAR MEETING
OF THE
PITTSBURG PLANNING COMMISSION
March 24, 2009

A regular meeting of the Pittsburg Planning Commission was called to order by Chairperson Ramirez at 7:00 p.m. on Tuesday, March 24, 2009, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California.

ROLL CALL:

Present: Commissioners Diokno, Fardella, Garcia, Kelley, Ohlson, Wegerbauer, Chairperson Ramirez

Absent: None

Staff: Assistant City Manager/City Engineer Joe Sbranti, Planning Manager Dana Hoggatt, Assistant Planner Leigha Schmidt, and Administrative Assistant to Director Kathy Comtois

PLEDGE OF ALLEGIANCE:

Commissioner Garcia led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES:

Planning Manager Dana Hoggatt reported that agenda Items 2 and 3 would be continued at the request of the applicants to the regular Planning Commission meeting of April 28, 2009.

COMMENTS FROM THE AUDIENCE:

There were no comments from the audience.

PRESENTATIONS:

There were no presentations.
CONSENT:

1. Meeting Minutes, March 10, 2009

Commissioner Wegerbauer asked that the first sentence of the second paragraph on Page 8 be amended to read:

Commissioner Wegerbauer commented that a projecting sign would be valuable with few locations where a tenant could install a bracket to provide such signage since those may not be storefront entrances and more design consideration should be given to areas around store entrances.

MOTION:

Motion by Commissioner Wegerbauer to adopt the Consent Calendar, as amended. The motion was seconded by Commissioner Garcia and carried by the following vote:

Ayes: Commissioners Diokno, Fardella, Garcia, Kelley, Ohlson, Wegerbauer, Ramirez
Noes: None
Abstain: None
Absent: None

PUBLIC HEARING:

Item 2: La Aurora Mixed Use Building. AP-08-576 (DR/VA/UP).

An application by Michael Woldemar & Associates, on behalf of Kassim Shabi, requesting: 1) design review approval of architectural plans to construct a 6,758 square foot mixed use building consisting of ground floor retail commercial space and two residential units and two commercial offices on the second floor; 2) approval of a variance from minimum off-street parking requirements; and 3) use permit approval for a grocery store with beer and wine sales at 308 West Tenth Street. The site is zoned M (Mixed Use) District. APN 085-222-014.

THIS ITEM WAS CONTINUED TO THE PLANNING COMMISSION MEETING OF APRIL 28, 2009, AT THE REQUEST OF THE APPLICANT.

COMMISSION CONSIDERATIONS:
Item 3: Delta Gateway Center – Pad 12. AP-08-561 (DR).

A request by James Wang of Discovery Builders, Inc., requesting design review approval of architectural and site development plans to construct a 10,173 square foot multi-tenant building, located on the south side of Century Boulevard, immediately west of the western terminus of Delta Gateway Boulevard. The project site is zoned CC (Community Commercial) District. APN 074-460-032.

THIS ITEM WAS CONTINUED TO THE PLANNING COMMISSION MEETING OF APRIL 28, 2009, AT THE REQUEST OF THE APPLICANT.

STUDY SESSION

Item 4: Railroad Avenue Specific Plan/eBART Ridership Development Plan and Environmental Impact Report.

A City-initiated proposal to: 1) amend the Land Use and Transportation Elements of the General Plan; 2) amend Pittsburg Municipal Code Title 18 (Zoning Ordinance), including rezoning certain properties to PD (Planned Development) District in conjunction with the adoption of the Railroad Avenue Specific Plan; and 3) consider the Draft Environmental Impact Report (DEIR) prepared for the project. The Specific Plan is intended to increase ridership near station areas through development intensity and increased pedestrian and transportation linkages in the area within a one-half mile radius around the proposed eBART station planned to be located in the middle of State Route 4 at Railroad Avenue.

Assistant Planner Leigha Schmidt presented the staff report dated March 24, 2009. She recommended that the Planning Commission review the Draft Railroad Avenue Specific Plan and Draft Environmental Impact Report (DEIR), accept public comments and provide feedback on the proposed project.

In response to Commissioner Fardella, Ms. Hoggatt explained that the item was a study session only and not a public hearing, although there had been a substantial amount of e-mailing and mailing to notify the public.

Commissioner Diokno acknowledged the entire planning process with input from the public. He found the document and the entire process to be impressive.

Commissioner Ohlson expressed concern that BART desired a one-half mile space around the BART Station for planning, and while good for pedestrians, he stated that bicyclists had not been considered and bicycle route and facility planning had not been included.

Commissioner Ohlson commented that while the Specific Plan document had indicated that the 2020 Pittsburg General Plan planning for bicycle routes in the facility had been
deemed to be sufficient, no plans had been made for the eBART station when the General Plan had been adopted.

Commissioner Ohlson noted that the Metropolitan Transportation Commission (MTC) had a regional Bike Plan that would apply, although it too had not planned for bicycle access to the eBART station. In addition, Chapter 6 of the Specific Plan had identified the Contra Costa Countywide Bicycle and Pedestrian Plan, which required that bicycle routes be supplied in the area, although again no plans had been made for bicycle access to the eBART station.

Commissioner Ohlson referenced the existing northbound and southbound bicycle lanes on Harbor Street and the fact that the EIR had called for a 12-foot wide pedestrian and bicycle trail between Railroad Avenue and Harbor Street to the south of the freeway right-of-way. He questioned how a northbound bicyclist on Harbor Street would access the pedestrian/bicycle path.

Speaking to the Railroad Avenue Specific Plan/eBART Ridership Development Plan document, the Circulation and Transportation Chapter, Transportation and Circulation Goals, Commissioner Ohlson requested the following amendments or clarifications:

- Page 113, Policy 6-G-2, that bicycle routes and facilities be planned farther away from just the Specific Plan area;
- Page 114, Policy 6-P-5, to be split into two separate policies with a new Policy 6-P-5.5, to read, “Make walking more enjoyable and inviting by providing streetscape amenities;”
- Page 114, Policy 6-P-1, that a new Policy 6-P-1.5 be added to read, “Update the City’s bicycle facility section of the General Plan to provide a safe connected direct bicycle network from all areas of the City to the new eBART station;”
- Page 115, Policy 6-P-12, revise the policy to better clarify its intent;
- Page 115, Policy 6-P-13, include the language, “Institute parking pricing strategies so at least one parking space is always available,” since that was the direction of the BART system;
- Page 115, Policy 6-P-18, clarified with staff the intent of the policy that the bus shuttles would not compete with eBART and were designed to bring people from Old Town to the eBART station;
- Page 115, Policy 6-P-19, add language to that policy to read, “The bus only access street should have the bus station as close as practicable to the eBART station to minimize walking on the part of the people using the bus;”
- Page 115, add a Policy 6-P-11.5, to read: “Discourage by design motorists using the parking structures or lots from using pedestrian friendly Bliss Avenue for access to the parking structures or lots;”
Commissioner Ohlson had more comments to make but yielded to public comments at this time.

PUBLIC COMMENTS:

MICHAEL SARABIA, P.O. Box 5156, Bay Point, provided written comments to the Planning Commission that he read into the record at this time.

MIKE LENGYEL, Central Avenue, Pittsburg, suggested that the DEIR was not a full disclosure document, was too difficult to read, was too long and had not identified a transit village by the Pittsburg/Bay Point BART Station as proposed by Seeno Development three miles away from the subject site. The DEIR had also not disclosed any data or justification for the Civic Center being divided into two pieces with one portion being used privately and the other by the City. The DEIR had not included an alternative site for a BART station on Loveridge Road. Since the subject site would impact the surrounding neighborhood, he asked that the DEIR identify alternatives to the subject site. He added that the DEIR had also not considered the removal of a six-story mid-rise speculative building that had failed on two occasions with no expectations that it would be built.

Mr. Lengyel further commented that Kirker Creek, which passed through the southeast corner of the Specific Plan area, had been dismissed as being insignificant, although the creek had been declared a dirty creek by the Bay Area Regional Water Quality Control Board (RWQCB), which required local jurisdictions to clean up the creek. In his opinion, the Specific Plan and DEIR should be completely replaced with a new document.

BUD WISECARVER, Pittsburg, explained that he owned a business within a half mile of the Specific Plan area. He noted that Bliss Avenue from Harbor Street to Martin Way was private property and that the property line traveled down the middle of the first block to Freed Way. From Freed Way to Martin Way, there was a 25-foot right-of-way for public transportation that was currently taken up by parked vehicles and truck loading. He noted that the area was the shortest distance from housing east of Harbor Street and south of Garcia Avenue. He suggested that bicycles should not go through the area given the limited space. If the zoning was changed, he questioned what would happen to the existing businesses and whether or not property values would increase as a result.

Ms. Schmidt noted that there were no proposed plans to change the land use designations of properties located east of Harbor Street. In addition, the Specific Plan proposed no bicycle lanes east of Harbor Street other than those that had already been approved in the General Plan. She noted that a traffic study had been prepared as part of the DEIR. As to the potential increase in property taxes, she suggested that was speculative. With BART coming through the area, she suggested that property values could increase.

Planning Commission Minutes
March 24, 2009
Assistant City Manager/City Engineer Joe Sbranti explained that the property values may increase, although that did not mean that taxes would increase. He expressed the willingness to speak with anyone to answer any questions after the meeting on issues not related to the DEIR or the Specific Plan.

DR. HENRY CLARK, Executive Director, West County Toxics Coalition, and a member of the Contra Costa County Hazardous Materials Commission, representing families in Pittsburg and Bay Point, requested that the bus shuttles be biodiesel or be clean burning fuel vehicles. He commented that he was also a member of various environmental groups on the State level. He reported that the State Air Resources Board had recommended that developments around highways include at least a 50-foot buffer between residences and the highway due to potential environmental impacts. He asked the City to review those recommendations thoroughly. He also referred to the downturn in the economy and questioned how it would impact the development being proposed, the potential impacts on public health and safety, and the ability for those residing in Pittsburg and the surrounding area to patronize the eBART station.

TERRY ROBINSON, 2109 Burton Avenue, Pittsburg, stated that he had attended the eBART planning meetings over the past six months. He appreciated the fact that the City allowed its citizens to assist in the planning for the project. He supported an expeditious process to move the project forward. He clarified with staff that the project was not considered to be shovel ready and would not qualify for the use of federal stimulus funds. He asked when the project would be ready to commence once all approvals had been obtained.

Chairperson Ramirez noted the various approvals and agencies that would be involved in such a project, which would take a great deal of time to complete.

As the representative on the TRANSPLAN Committee, Commissioner Ohlson reported that the eBART project would be pursued concurrently with the widening of State Route 4. The hope was that the project could be completed by 2015.

Mr. Robinson also clarified that local transportation would likely be provided by Tri Delta Transit. He expressed his hope that with the new eBART station, local transportation would be improved beyond what was currently provided at the Pittsburg/Bay Point BART Station.

Commissioner Diokno understood that the trains would not run until the Hillcrest station was ready to receive them. He noted that the development in the transit village and surrounding area would be through private developers who had yet to be identified.

Commissioner Garcia asked whether or not the Pittsburg Unified School District (PUSD) had provided any comments on the DEIR or the Specific Plan.
Ms. Hoggatt advised that staff from the PUSD had attended the DEIR scoping meeting and had received a notice of public hearing and a copy of the Draft Specific Plan.

Ms. Schmidt advised that the PUSD Superintendent had commented on the Draft Specific Plan, which comments had been incorporated where feasible.

Commissioner Garcia suggested that two additional schools may be required with the additional residential units anticipated in the Specific Plan. He did not see that the City had sufficient area in the Specific Plan area to build another school, and existing schools were at capacity. He expressed concern that the PUSD had not been more involved in the process.

Commissioner Ohlson took the opportunity to continue with his comments on the Specific Plan:

- Page 116, first paragraph, modify the paragraph to include the establishment of a circulation system for bicycles;
- Page 121, last paragraph, pointed out that Civic Avenue changed names at Davi Avenue to Seventeenth Street;
- Page 123, Figure 6.3, Bliss Avenue section viewing east, included no provision for bicycles;
- Page 127, fourth bullet, defines the use of the term “feasible” in the document with the suggestion that all crosswalks must be raised to differentiate between the crosswalk and the roadway and on Bliss Avenue. Further, on the pedestrian street, every crosswalk should be raised;
- Page 129, 6.3.3, Bicycle Facilities and Parking, last paragraph to include a bicycle network in the Specific Plan;
- Provide a table of the streets in the City that included bicycle facilities;
- Page 134, last paragraph, pointed out that State law had strong rules on how long buses could idle;
- Page 139, Policy 7-P-9, had not mentioned the roofs that were now required to be installed on trash enclosures. Recommended the policy mention that, where feasible, the trash enclosure shall be included in the construction of the main building rather than be separate and outside of the main building.
- Page 151, last bullet, clarified the intent with staff that the General Plan called for the adoption of a Specific Plan, and the definition of the Mixed Use Land Use designation to be expanded to include the area, and the three subareas that would have the most development changes to be classified as Mixed Use development. The General Plan and Specific Plan must be consistent with the General Plan governing over the Specific Plan as the prime document for planning in the City;
- Page 152, Section 8.2 Plan Phasing and Priority Improvements, Phases One through Four, Phase One, include a statement that, “Bicycle facilities be constructed as necessary to allow bicycles from various areas in the City to
safely access the station;”

- Page 156, a list of street and transportation improvements to also include the statement, “Bicycle facilities be constructed as necessary to allow bicycles from various areas in the City to safely access the station” in Phase One;
- Page 156, Phase One Transit Village, as described, had been compared to Page 123 for Bliss Avenue to the east, which had shown no provision for bicyclists. Staff to clarify that angled parking was unsafe for bicycles and that bicyclists would use the new Class I trail north of Bliss Avenue between Harbor Street and Railroad Avenue, rather than Bliss Avenue;
- Page 156, Transit Village Phase One Construction, the second bullet, avoid a situation where buses would compete with eBART, with Tri Delta transit to do its own scheduling;
- Page 156, Phase Four of the Transit Village, that as soon as the station opens the City should implement Phase Four;
- Pages 161 and 162, 8.4.2, State Funding Sources, that the funding sources had not included the State Bicycle Transportation Account and Safe Routes to Transit had not been listed in the Capital Improvement Program (CIP) grants.

Commissioner Fardella thanked the public for its comments and emphasized that there would be another opportunity for the public to speak to the Specific Plan and DEIR.

Ms. Hoggatt reported that the City had received written comments on the DEIR and Specific Plan from the Contra Costa County Fire Protection District (CCCFPD), the Contra Costa Water District (CCWD), and from Michael Sarabia. She also acknowledged a letter that staff had received from FOCUS, dated March 23, 2009, in support of the Specific Plan. Copies of all four of the letters had been placed on the dais as public comments. She explained that comments on the DEIR and the Specific Plan would continue to be accepted by staff either by e-mail, in writing, or verbally prior to the deadline on April 13.

**ZONING ADMINISTRATOR REPORTS:**

The Planning Commission acknowledged the following:

5. **Notice of Intent to Exercise Delegated Design Review Authority.**
   557 and 558 Clark Avenue Trash Enclosure. AP-09-594 (AD).
   Telfer Modular Office Building. AP-09-597 (AD).
   Peppertree Apartments Clubhouse Remodel. AP-09-598 (AD).
   Woodland Hills Apartments Clubhouse Remodel. AP-09-599 (AD).
   Adina’s Bakery Rear Façade Remodel. AP-09-604 (AD).

6. **Notice of Intent to Act as Zoning Administrator:**
   Tomra Pacific Recycling Facility. AP-09-593 (ZA).
Ms. Hoggatt added that the Commission had been provided with a copy of approved Zoning Administrator Resolution No. 106, an informational item that inadvertently had not been included in the commission packet.

**STAFF COMMUNICATIONS:**

**Mi Pueblo Food Center – Applicant requested modifications to approved plans (Planning Commission Resolution No. 9777)**

Ms. Hoggatt reported that Mi Pueblo Food Center had recently opened and had requested some exterior changes. The color of the roof had originally been proposed to be red, although the applicant would like to keep it green since paint would degrade on the roofing material. The applicant also would like to have fixed outdoor seating as opposed to the removable outdoor seating that had originally been approved by the Planning Commission. Unless the Commission objected, staff would approve those requested changes.

Chairperson Ramirez reported that he had visited the site this date to view the proposed modifications. The green roof matched the remainder of the shopping center, although the building was multi-colored. He agreed that if the roof was painted, the paint would peel and fade and would be a maintenance concern. As to the tables and chairs, he found that the existing furniture was ideal since they were permanent and bolted into the concrete. He understood that “No Loitering” signage would be posted and that the site had a security guard. He had no concerns with the modifications.

Commissioner Wegerbauer had no concerns with the recommended changes. She commented that she had patronized the store and she complimented its presence in the community.

Commissioner Fardella concurred with the comments.

Ms. Hoggatt otherwise reported on some of the transitional changes that would be made in the City; including bottled water no longer provided during public meetings, paperless agendas, and a change in the meeting minutes format to the Sire/Granicus system. She thanked the Minute Taker for her years of service to the City.

**COMMITTEE REPORTS:**

Commissioner Ohlson reported that the Contra Costa Transportation Authority (CCTA) had released the Countywide Comprehensive Transportation Plan that was also available on the CCTA website. He added, when asked, that the Loveridge Road interchange project should commence in July.
PLANNING COMMISSIONERS’ COMMENTS:

Chairperson Ramirez reported on the successful Grand Openings for Mi Pueblo Grocery Store and El Matador Restaurant.

Commissioner Fardella complimented City staff on the efforts for a paperless system. He reported that he too had attended the Grand Opening of the El Matador Restaurant. He also reported that the Ambrose Park Master Plan follow-up meeting had been scheduled for April 18 from 10:00 a.m. to 12:00 p.m., and that the Challenger Little League Jamboree would be held on April 26 with an international baseball tournament and with special players from Guaymas, Mexico at City Park at 1:00 p.m.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:31 p.m. to a Regular Meeting scheduled on April 14, 2009, in the City Council Chamber at 65 Civic Avenue, Pittsburg, CA.

[Signature]
Dana Haggarty, Planning Manager

for
MARC S. GRISHAM, AICP, Secretary
Pittsburg Planning Commission

Planning Commission Minutes
March 24, 2009