

**CITY OF PITTSBURG  
City Council Minutes  
November 16, 2001**

**Note from the City Clerk:**

**The November 16, 2001 minutes were presented to the City Council for approval on December 10, 2001. At that time, the City Council voted unanimously to continue approving the minutes for clarification on the motions as recorded. On February 4, 2002, the minutes of November 16, 2001 were presented to adopt the verbatim minutes as transcribed. The verbatim minutes were adopted by a unanimous vote.**

**Respectfully submitted,**

**Lillian J. Pride  
City Clerk**

**CITY OF PITTSBURG  
City Council Minutes  
November 16, 2001**

Mayor Frank Quesada called the Special Adjourned Meeting of the City Council to order at 5:04 P.M. in the City Council Chambers at City Hall, 65 Civic Avenue, Pittsburg, California

**MEMBERS PRESENT:** Aiello, Beals-Rogers, Lewis, Rios, Quesada

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Assistant City Manager, Nasser Shirazi  
City Attorney, Linda Daube  
City Clerk, Lillian Pride  
Acting Director, Planning & Building, Randy Jerome  
Director of Public Services, John Fuller  
Acting City Engineer, Wally Girard

**PLEDGE OF ALLEGIANCE**

Bill Glynn led the Pledge of Allegiance.

**CITIZENS REMARKS**

There were no remarks from citizens at this time.

**MEMBERS REMARKS**

There were no remarks from Members.

**CONSENT**

- a. **ORDINANCE 01-1188** Consideration of Sewer System Maintenance Ordinance Amendments (2<sup>nd</sup> Reading)

Director of Public Services John Fuller advised that the ordinance, when adopted, would basically change current code to place the responsibility for sewer lateral maintenance and repair for that portion of the sewer lateral located within the street right-of-way with the City as part of its maintenance of the sewer mains and the rest of the sewer system. The private property owner would still be responsible for that portion of the sewer lateral outside of the street right-of-way within the front or side yard.

On motion by Councilmember Rios, seconded by Vice Mayor Aiello to adopt

Ordinance 01-1188, carried by the following vote:

Ayes: Aiello, Beals-Rogers, Rios, Quesada  
Noes: Lewis

**PUBLIC HEARING (ADOPTION OF GENERAL PLAN)**

1. **RESOLUTION 01-9489** Certifying the Final Environmental Impact Report and Adopting the Mitigation Measures and Statement of Overriding Considerations Contained in the Final EIR for the General Plan Update, "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century"
2. **RESOLUTION 01-9519** Adopting and Approving Findings, a Mitigation Monitoring Program and a Statement of Overriding Considerations for the Approval and Adoption of the Comprehensive General Plan Update, "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century"
3. **RESOLUTION 01-9490** Adopting the Comprehensive General Plan Update "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century," and the Land Use Designations in the General Plan Update

Acting Director, Building & Planning Randy Jerome reported that the General Plan process had commenced in 1997. The Planning Commission had recommended the adoption of the August hearing draft on June 26, 2001, which had then been forwarded to the City Council in September, after which the City Council had referred the document back to the Planning Commission to address a number of items.

Among those items to be addressed, Mr. Jerome cited Marine Commercial uses in the downtown, the location of a fire station in Bay Point, the reclassification of a land use from Medium Density Residential to Low Density Residential in the St. Vincent dePaul area on Central Avenue, and a reference to the high school in the Bay Point area. He noted that in the October public workshop those and other requests had been reviewed by the Planning Commission along with land use changes in the southern hills of the City, with recommendations from the Commission that there be certain changes to those land uses.

Mr. Jerome identified the Southwest Hills area, which was a subarea of the General Plan, to change from a Hillside Low Density Residential with protected ridgelines to a Low Density Residential classification, with some minor changes to the Buchanan Road area to Low Density Residential from Hillside Low Density Residential, and to replace some of the Open Space with development, along with a minor change to the Woodland Hills area.

Mr. Jerome stated that while staff had initially indicated that those modifications would be major changes requiring further study and potential recirculation, he explained that the

Mayor had asked that the General Plan move forward for adoption this month. He emphasized the Herculean efforts of staff, the General Plan consultant and a team of attorneys, which had allowed that to occur.

Mr. Jerome described the three resolutions submitted for Council consideration, including the Certification of the Environmental Impact Report (EIR), the Adoption of Approved Findings, a Mitigation Monitoring Program, and a Statement of Overriding Considerations, and the adoption of the General Plan itself. He stated that a series of 40 different changes to the General Plan policies, maps, tables and the like had been included.

Mr. Jerome recommended the adoption of Resolution 01-9489 to Certify the Final EIR on the General Plan Update, Resolution 01-9519 to Adopt and Approving Findings, a Mitigation Monitoring Program, and a Statement of Overriding Considerations, and Resolution 01-9490 to Adopt the General Plan Update (GP-97-01).

Mr. Jerome reiterated the long process and looked forward to having the General Plan move forward and implement the plans including rezoning and policies.

Mayor Quesada opened the public hearing on Resolutions 01-9489, 01-9519 and 01-9490.

BERTHA STOBBS, Pittsburg, referred to the letter directed to the City Council from the Community Advisory Commission (CAC) in response to the six points that had been presented to the CAC for comment.

Ms. Stobb read the written response into the record and reported with respect to ridgelines and open land use that the CAC did not support changing the ridgeline or reclassifying the open land use in the Southwest Hills area and recommended that the ridgelines and open space land use should remain, as indicated in the General Plan.

With respect to the relocation of Fire Station 86, Ms. Stobb reported that the CAC had been excluded by the City Council from any decision-making concerning the fire stations and the CAC would therefore make no comment on that issue. As to the land use designation for the southwest quadrant of Central and Solari Avenues, the CAC also had no comment on that issue.

Ms. Stobb reported that the CAC had voted that the General Plan be left as is with respect to Downtown Marine Commercial land use, and with respect to the goals related to bikeways and pedestrian movement that bike friendly roads could alleviate congestion and should also remain as is within the General Plan.

Ms. Stobb reported in response to the question related to educational facilities in Bay Point, that the CAC had recommended a meeting between the School Superintendents of the Pittsburg Unified School District and the Mt. Diablo Unified School District to discuss the issue of a high school in Bay Point. It was also recommended that the General Plan be

changed to reflect the correct number of schools in Bay Point in that there were four schools as opposed to the two that had been identified for Bay Point.

The CAC had further recognized that the Planning Commission had worked on the General Plan for over two years and that the City Council should respect the hard work that had been done. As such, the CAC recommended that the General Plan be as recommended by the Commission.

CARL CAMPOS, Loving and Campos Architects, Walnut Creek, specializing in environmental design, land planning, master planning and architecture, in representation of A.D. Seeno Construction Company, provided a presentation that had been made to the Planning Commission on October 2 regarding the Southwest Hills area. He noted that the Draft General Plan Update had been returned to the City Council from the Planning Commission with a recommendation that an area of the Southwest Hills be amended from Hillside Low Density Residential and Open Space to a Low-Density Residential classification

Mr. Campos explained that the presentation was being offered to reinforce the Commission's decision and to solicit the Council's support.

Mr. Campos advised that many communities throughout the Bay Area and the world had taken advantage of hillside areas. He explained that Pittsburg had a tremendous opportunity in the Southwest Hills area to take advantage of the ability to provide an executive type, estate, or larger home for residents of the community. He noted that many communities provided the opportunity where residents could invest in the community and move from a starter home to an executive home in the same community.

Mr. Campos explained that there was an historical culture related to building on hillsides and that building on the hillsides was a Bay Area tradition. He identified the upscale communities that took advantage of the hills in the Bay Area, and displayed photographs of developed hillsides in Berkeley, Oakland, San Francisco and surrounding communities of San Ramon, Alamo and Walnut Creek, among others, where homes had been built on the hills and where spectacular views had been offered. He explained that with proper engineering design, construction on the hills could be done in a safe and positive manner.

Mr. Campos described the height of some of the hills in the Bay Area ranging from 1,763 feet in the Berkeley Hills to over 3,000 feet at Mt. Diablo. He commented that the City of Pittsburg was blessed with a permanent designated open space in the southern hills with elevations of 500 to 900 feet and with spectacular views.

Mr. Campos further described the permanently designated East Bay Regional Parks District (EBRPD) open space along the southern boundary of Pittsburg's Southwest Hills area bordered by the landfill and the Concord Naval Weapons Station, emphasized that there would be a limited opportunity for development, and stated that no other neighborhood in the City would be affected other than the San Marco subdivision. He also

presented several view perspectives of the Southwest Hills from areas beyond the City to show that there would be no visual impacts from the development of the hills.

Mr. Campos added that the proposed General Plan included 37.1 miles of ridgeline in Pittsburg that he identified at this time. He recommended the removal of approximately five miles of ridgeline along with the removal of the ridgeline designation west of Bailey Road.

Mr. Campos reiterated the request to change a specific area from Hillside Low-Density Residential and Open Space to a Low-Density Residential classification. He stated that little more than three units to the acre would be possible in that area, which would conform to Hillside Low Density Residential in the area. He repeated that the Planning Commission had been asked to recommend the amendment to the Draft General Plan to allow executive hillside homes at the Southwest Hills by removing the ridgeline designation west of Bailey Road and designating the area west of Bailey Road as Low Density Residential, along with minor text changes associated with that request.

Mr. Campos stated that request would support the economic development goals in the General Plan by encouraging and maintaining a high quality of business in the City by providing executive housing. He suggested that more and more businesses would be built in the area and allow Pittsburg to be able to provide executive housing as had been provided in other communities to allow people invested in the community to remain in the community. It would also provide a significant increase to the City's property tax income, provide a redevelopment tax increment, contribute to the City's sales tax revenues, and since Pittsburg had the highest component of affordable housing in the County, the upscale housing would provide a diversity of housing stock and free up affordable homes in the City.

Mr. Campos suggested that the proposal would not significantly impact the visual quality of the City's hillside backdrop, would not significantly reduce the potential open space area with the 32 miles of permanently protected ridgelines located in the EBRPD, and would not impact sensitive environmental areas.

Further, Mr. Campos presented a plan that was currently being reviewed by the County for the Pittsburg BART Station with a million square feet of office with mixed residential, restaurants, retail and parking facilities adjacent to the BART station. He suggested that was the future of the City of Pittsburg and stated that the people who worked for the corporations that would occupy that site would want to live nearby, and the Southwest Hills would provide that opportunity.

Vice Mayor Aiello inquired whether or not a high end development in that area would increase real estate values in the areas of Oak Hills, Monterra and the Alves property, to which Mr. Campos suggested that would most likely occur in that a community with a well rounded diverse mix would increase in value.

Mayor Quesada noted that development generally clustered around BART stations, which generated additional revenues to the City. He suggested that the Pittsburg/Bay Point

BART Station would most likely be the terminus of the BART line given the lack of money available to extend BART beyond that station. He suggested therefore that the economic opportunities around that BART station should be pursued.

Mr. Campos noted that many corporations wanted to locate in the area to be able to access their work force, although there was an insufficient housing stock to allow that to occur. He suggested that the development of the Southwest Hills would allow that to occur.

Councilmember Beals-Rogers inquired how many homes were being proposed as part of the requested change, to which Mr. Campos stated that an average density of three homes to the acre would probably result, even though up to seven units to the acre would be allowed.

DAVID DOLTER, Community Development Director for A.D. Seeno Construction Company advised, when asked by Councilmember Beals-Rogers, that 720 houses had been planned in the Southwest Hills area "plus another 400 or so," with a total impact of approximately 1,500 homes.

Mr. Dolter addressed the sufficiency of the Final EIR and its level of analysis for the General Plan modifications recommended by the Planning Commission on October 2. He mentioned the key points of his letter dated November 16, 2001 that had been submitted as part of the record. He stated that the impacts of the General Plan modifications had been analyzed in sufficient detail in the Alternatives section of the FEIR. The nature of the modifications, while not identical were significantly less severe and less substantial than the other analyzed alternatives. He stated that those alternatives had been subject to a thorough analysis in Section 6 of the DEIR and extensive public review and comment.

Mr. Dolter stated that the General Plan contained appropriate measures to mitigate the impacts of the General Plan Update, including the modifications. One of the mitigations required was to set density levels for the planning subareas affected lower than the density for Low Density Residential areas in general. He also noted that formal and pending development project applications were well below the density thresholds used in the General Plan and within the range of the proposed General plan modification mitigations.

Further, Mr. Dolter stated that because the General Plan Update was conceptual, the EIR prepared in conjunction with the update was adequate as to its level of analysis. He stated that the General Plan modifications did not constitute new information and a recirculation of the EIR was not required for that or any other reason. He suggested therefore that the City Council was free to act as recommended by staff without a recirculation of the EIR.

BRUCE BAUER, Walnut Creek, with Colliers International and speaking on behalf of several owners representing their interests in a number of properties, among them Uecker and Associates, the dispersing agent for the reorganized Los Medanos Community Hospital

District, described the four properties that were being represented. He identified those properties as east of Gladstone Drive, west of Gladstone Drive, at the corner of East Leland and Loveridge Roads, and a property fronting on Loveridge Road.

Mr. Bauer stated that in December 1998, Colliers International, a real estate firm, had been hired to market the properties as commercial opportunities, during which time there had been little interest in the acquisition and development of the sites. In June 2000, he stated that City staff had approached them and requested as part of the General Plan process as to their interest in designating the properties as Medium Density Residential, which had been acceptable to the owners given that a residential designation might offer a better opportunity for development.

As part of the General Plan process, Mr. Bauer stated that Uecker and Associates had requested that the two-acre property fronting on Loveridge Road also be designated residential. He stated that they had worked with the Planning Commission and with their support had approved the request to convert the site to a High-Density Residential designation. As such, in working with staff and the Planning Commission, three of the four properties had been recommended for conversion to Medium and High-Density Residential designations.

Mr. Bauer stated that his firm had currently been working with staff to prepare preliminary site plans and architectural renderings and had, with staff, toured subdivisions in the Bay Area to offer an indication of what could be proposed. He stated that responses had been favorable to date. As such, they were near ready to submit for tentative map approval.

Mayor Quesada reported that the site in front of the Diamond Ridge subdivision was under consideration as a possible new site for a fire station. As a result, he wanted to make certain that designation would not change so that the placement of the fire station could be accommodated to meet the needs of the community. He stated that the other two properties had been designated as Business Commercial, which Mr. Bauer clarified had still been proposed to be Business Commercial.

Mayor Quesada stated that the other two lots off of Gladstone Drive involved a number of easements, which would make any development problematic.

Mr. Bauer noted with respect to the property with the easements that because the property had not been developed as an office complex, those easements could be abandoned and a plan had been developed to work around the two sewer easements that could not be abandoned. He stated that the property on the east side of Gladstone Drive also had a storm drain easement that would have to be addressed.

Councilmember Lewis commented that he had studied the issue for some time and his position had been clear that the East Leland/Loveridge Road intersection and corridor was an important site in the City. He expressed his belief that Leland Road would be the Railroad Avenue of Pittsburg and the corner of Leland and Loveridge Road would be a prime commercial area in the City in the future. He suggested that the lots fronting on

Leland Road would be some of the prime areas in the future that he preferred to see developed as an office commercial type of use. He noted that there had already been a proposal to rezone the lot on the west side of Loveridge Road and previous City Councils had rejected that plan.

Councilmember Lewis emphasized the need to look to the future to make certain that the areas of the City were suitable for growth. He did not want to convert prime property on Leland Road for residential use where other residential areas in the community were available for that purpose.

Councilmember Rios also did not support a change from a Business Commercial designation to Medium or High Density Residential. She shared some of the same concerns that Councilmember Lewis had and could not support high density housing on what was already a very busy street. She supported the retention of the Business Commercial designation.

MICHAEL BRODY of the law firm of Murphy, Weir and Butler, representing Susan Uecker as the liquidating agent for the Los Medanos Community Hospital District, explained that the interest in the parcels had represented a way to sell the property for residential development to benefit the community by closing out the liquidation of the estate and paying the creditors back after up to eight years of waiting. He stated that the property had not sold as a commercial use despite what the future might bring and the creditors would like to be paid sometime in the near future. He wanted to proceed with the General Plan at this time with a residential designation to allow the creditors to receive the monies that they had been waiting to receive.

Mr. Brody emphasized that there was a need for moderate housing in the community. Acknowledging that the County wanted to look at one of the sites for use as a fire station, he suggested that there was nothing incompatible with a residential designation given that the Fire District could still provide a public safety facility use in a residential designation. He also noted that the Fire District was looking for one acre, which carved out just a piece of the property. There was also a separate one-acre parcel that could satisfy the Fire District's need for a station placement.

Vice Mayor Aiello suggested that high or low-density housing was not compatible with adjacent schools that were already over capacity and with the heavy traffic on the street. As a result, he emphasized that a residential designation in that area would be unsafe and unacceptable.

BRUCE OHLSON, Pittsburg had submitted a request to speak but withdrew that request at this time.

Mayor Quesada closed the public hearing.

Councilmember Beals-Rogers commented that she did not support the changes to the ridgelines.

Councilmember Lewis requested clarification that the approval of the EIR would have no bearing on the individual designations.

Mr. Jerome clarified that the area just discussed near Los Medanos Hospital was currently zoned Quasi-Commercial on the Loveridge Road side, and the Planning Commission had agreed with some of the recommended changes, as presented in the earlier drafts to the General Plan. He characterized the changes as relatively minor and stated that non-residential changes would be insignificant in terms of the EIR, although a reevaluation of the numbers would be required.

In response to Vice Mayor Aiello, Mr. Jerome identified the Alves Ranch property and noted that the changes shown were reflective of the development plan that had been preliminarily submitted for Commercial Office between Highway 4 and Leland Road on the west side of the property, and a high density apartment complex on the east side of the property between Highway 4 and Leland Road. South of Leland Road, a High Density Residential single-family use had been recommended for a portion of the property to the transmission lines, with Low Density Residential to the south, to transition into Estate zoning.

Vice Mayor Aiello had a different proposal for that property, which included the addition of flatland for a junior high school to provide a second school in that area. He suggested that the whole area be zoned Low Density Residential consistent with the Monterra and Oak Hills developments. He therefore supported a stipulation of Low Density Residential along with a stipulation of flat land for a junior high school.

Mr. Jerome noted that the EIR for the Alves Ranch project was still in process and a school site had been designated for that property, without specificity. He stated that the EIR had been drafted with the assumption that the land uses in the General Plan would proceed. He clarified that the request had been that the General Plan be amended to the proposal just described.

Councilmember Lewis verified with Mr. Jerome that the approval of the EIR would have no bearing on the changes identified for Leland and Loveridge Roads.

With respect to the Alves Ranch, Councilmember Rios verified that what had been shown in the EIR was High Density Residential between Highway 4 and Leland Road on the east side of the site, a Business Commercial designation on the west part of the site, a school site on the east below the transmission towers, and Medium Density Residential with a high density single family detached product on the property and with lower density on the upper end of the property.

Councilmember Rios verified that a Low-Density Residential proposal would have no effect on the EIR given that it would be less than what had been considered.

In response to Councilmember Beals-Rogers as to whether or not the proposed changes to the ridgelines would have a significant impact on the EIR, Mr. Jerome stated that issue had been considered in the concept of the entire Draft EIR, at which time a number of alternates had been considered. He commented that there had been a moderate hillside growth alternative, which showed some development in the hillsides far greater than what had been included in the latest draft, as well as some other developments toward the water. He stated that both alternates represented more impacts environmentally than what had been proposed for modification.

1. **RESOLUTION 01-9489** Certifying the Final Environmental Impact Report and Adopting the Mitigation Measures and Statement of Overriding Considerations Contained in the Final EIR for the General Plan Update, "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century"

On motion by Vice Mayor Aiello, seconded by Councilmember Rios to adopt Resolution 01-9489, carried by the following vote:

Ayes: Aiello, Lewis, Rios, Quesada  
Noes: Beals-Rogers

2. **RESOLUTION 01-9519** Adopting and Approving Findings, a Mitigation Monitoring Program and a Statement of Overriding Considerations for the Approval and Adoption of the Comprehensive General Plan Update, "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century"

On motion by Vice Mayor Aiello, seconded by Councilmember Rios to adopt Resolution 01-9519, carried by the following vote:

Ayes: Aiello, Lewis, Rios, Quesada  
Noes: Beals-Rogers

3. **RESOLUTION 01-9490** Adopting the Comprehensive General Plan Update "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century," and the Land Use Designations in the General Plan Update

With respect to the General Plan Update itself, Councilmember Lewis made a motion to adopt Resolution 01-9490 and clarified that the modifications that had been included in the document included a single family designation for the area of Central and Solari Avenues, a more general description for the location of Fire Station 86 in Bay Point, Low Density Residential in the Southwest Hills, and additional Marine Commercial uses along the water as earlier requested.

Councilmember Lewis did not want to change the current designation of the properties along East Leland Road and Loveridge Road from Business Commercial and Quasi-Governmental.

Mr. Jerome verified that those changes had been included in the modification document where nearly fifty different modifications had been made to the document, but that the proposed modifications did not include any changes relative to the East Leland and Loveridge Road areas.

Councilmember Rios seconded the motion and included the stipulation that the entire area of the Alves Ranch from Leland Road south shall be Low Density Residential, with the school site to be retained, and to exclude the Housing Element which had not been included because it had been returned to the State for comment.

On the question, Vice Mayor Aiello asked that the school site on the Alves Ranch property be designated as a junior high school site and be designated as flat land.

Councilmembers Lewis and Rios accepted the amendments to the motion.

Councilmember Lewis added that he had no problem with a Low-Density Residential designation on the Alves Ranch property. He otherwise clarified with Mr. Jerome that the recommendation would not affect the Business Commercial designation on that same property.

Councilmember Beals-Rogers took this opportunity to commend the Planning Commission for its efforts and the staff for their commitment to addressing the issues. She supported the Business Commercial development and the issues surrounding the school on the western end of the City. With respect to the issues related to Leland and Loveridge Road, she concurred that traffic in that area was a concern and that any increase in that traffic would further impact the site.

Councilmember Beals-Rogers otherwise addressed the southwest quadrant of the Central Addition and noted that she was not supportive of the redesignation of that area.

Councilmember Beals-Rogers stated with respect to open space that she took a strong position on that issue. While she respected the presentation that had been made, she had a problem with the statement as part of that presentation that the Southwest Hills was the only area left in the community for development. She commented that just because it was there did not mean that it had to be developed. While cognizant of the development of hillsides in some cultures to be able to preserve agricultural lands, she stated that was not the situation in this case. She added that the Bay Area was known for its rolling undeveloped hills, which was why people had moved out to the suburbs.

Acknowledging that development had to occur on the hillsides in San Francisco, Councilmember Beals-Rogers stated that was also a concrete jungle and that City had benefited from that practice to be able to centralize commerce, although a situation had also been created where people could not afford to live there.

Councilmember Beals-Rogers added that other areas with hillside development had

more open space and higher incomes to support those homes than had Pittsburg. While she supported the promotion of allowing local residents to move up to larger homes, she suggested that the truth was that most of those who occupied the estate level homes were not Pittsburg residents. She emphasized that while housing was needed, the open space areas also needed to be protected. Referring to the comment made as part of the presentation that without a vision people would not prosper, she stated that without protecting the environment, habitat, nature and the people living there, everyone would perish.

On motion by Councilmember Lewis to adopt Resolution 01-9490, with the areas surrounding the Los Medanos Community Hospital on Leland and Loveridge Roads to be as shown in the current General Plan, that the entire area of the Alves Ranch from Leland Road south shall be Low Density Residential, with the school site to be flat land designated as a junior high school site, and to exclude the Housing Element, which had not been included because it had been returned to the State for comment. The motion carried by the following vote:

Ayes: Aiello, Lewis, Rios, Quesada  
Noes: Beals-Rogers

## **PUBLIC HEARING – ADOPTION OF WATER SYSTEM MASTER PLAN**

City Attorney Daube stated that the City Attorney's office and staff had been working with one of the developers to develop a Water Capacity Agreement, which Agreement was not yet complete. She recommended that the public hearing be opened to consider the Water Master Plan, to take testimony, and to continue it to a special meeting on December 10 at 5:00 P.M. The Council concurred with that recommendation.

### 1. **RESOLUTION 01-9520** Adopting the Water System Master Plan for the City of Pittsburg

Acting City Engineer Wally Girard presented the Water Master Plan, a plan and a work in progress. He noted two objectives in updating the City's Water Master Plan, the first of which was to evaluate the effectiveness of the existing system and the second to attempt to project the future needs of the growth of the City. He stated that the Plan had been updated in 1987 and 1993, and in 1999 the City had conducted another review.

Mr. Girard reported that in August 2000, the plan now being presented had been proposed although there had been changes to that plan, particularly in the Southwest Hills area. He explained that there was also an existing problem in the Leland Road/Harbor Street area where the low pressures needed to be upgraded from a Zone 1 to Zone 2.

During the process, Mr. Girard explained that the Oakland Hills FireStorm had mandated changes, particularly with respect to fire flow preservation and retention, which would also have to be addressed. He noted a number of difficulties involved, primarily related to the location of the City's Water Treatment Plant and the variety of altitudes and zones in the City.

Mr. Girard advised that Carrolla Engineering had consulted with the City to develop the Agreement and a representative of that firm was available to respond to comments.

Mayor Quesada opened the public hearing.

JAY TORRES-MUGA, representing the A.D. Seeno Construction Company, thanked the Council for the opportunity to submit comments on the City's Water Master Plan. He stated that the firm had met with the City and the City's consultant in May 2001 and had submitted comments at that time expressing some concerns for some elements of the Water Master Plan. As a result of that meeting, he stated that an exhibit had been produced, which exhibit had revised a number of elements of the Plan.

Mr. Torres-Muga referenced other meetings with City staff and sought the revisions shown on an exhibit dated July 10, 2001, some of which had been incorporated into the Plan. He noted a number of inconsistencies with the Plan itself and recommended that those inconsistencies be corrected, particularly given the recommendation for continuance. He sought a consistency in the document and a need that the tables match, to be able to advise builders of the rules and standards involved. He stated that his firm had engaged a consultant who would identify some of the inconsistencies. He added that the consultant would meet, at no charge to the City, to clarify some of the comments. He recommended that the hearing be continued and that staff be directed to make changes to the Plan, as recommended.

Mayor Quesada referred to a number of problems that had occurred over the years creating an inequitable situation that the Plan had been created to address.

Mr. Torres-Muga agreed with the need for an equitable situation.

TAD TOBITT, Sr. Vice President and Principal Engineer with Creegan + D'Angelo, Consulting Civil and Structural Engineers, Fairfield, characterized the City's Water Master Plan as good, well done and clear, but commented on a number of inconsistencies he had found in the report. He reported that a detailed letter would be provided to clarify his concerns.

Mr. Tobitt listed a number of inconsistencies in the report, primarily related to the area of the San Marco subdivision, and suggested that the issues represented significant cost and needed to be addressed. He expressed his hope that those issues would be addressed with the return of the Water Master Plan on December 10.

BILL GLYNN, Pittsburg, speaking as President of Presidio Village Housing Inc., the designated business entity for the new senior housing to be located behind the Ford dealership on Railroad Avenue, across from the Presbyterian Church and bordered by the American Legion Hall, stated that there was a significant problem with respect to low water pressure on that site and in the area. In addition, he stated that the City's Senior Center would be located contiguous to that property. The concern was that the low water pressure

was potentially marginal as well for firefighting purposes. As such, he recommended that the combined capacity needs of the existing and proposed uses both for fire flow purposes and general water profile consumption be incorporated into the plans for the area.

Mayor Quesada advised that the item would be continued to the Special Meeting set for December 10, at which time additional testimony would be taken. The meeting would commence at 5:00 P.M. at that time.

### **ADJOURNMENT**

There being no further business, the meeting of the City Council adjourned at 6:45 P.M. to November 19, 2001.

Respectfully submitted,

Lillian J. Pride, City Clerk

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**VERBATIM RECORD**

**OF THE**

**Special**  
**PITTSBURG CITY COUNCIL MEETING**

**OF**

**November 16, 2001**

**Regarding the General Plan Update**

Transcribed December 17, 2001  
Anita L. Tucci-Smith

MAYOR QUESADA: Tonight it's an adjourned meeting and we'd like to have roll call madam clerk.

ANITA TUCCI-SMITH: Aiello.

COUNCILMEMBER AIELLO: Present.

ANITA TUCCI-SMITH: Beals-Rogers.

COUNCILMEMBER BEALS-ROGERS: Present.

ANITA TUCCI-SMITH: Lewis

COUNCILMEMBER LEWIS: Here.

ANITA TUCCI-SMITH: Rios.

COUNCILMEMBER RIOS: Present.

ANITA TUCCI-SMITH: Mayor Quesada.

MAYOR QUESADA: Present. I would like to ask Commissioner Bill Glynn to lead us in the Pledge of Allegiance.

BILL GLYNN: [Led the Pledge of Allegiance.]

MAYOR QUESADA: Thank you, Mr. Glynn.

BILL GLYNN: Thank you.

MAYOR QUESADA: We now go into Members remarks, but we're kind of, everybody's got a lot of things that they want to do before Thanksgiving so we'll move it over to the Consent Calendar, which is the adjournment of the last meeting, which has to do with the ordinance. I do have quite a bit of speakers, but they address those to the General Plan. And this is the continuation from the adjourned meeting, and that's Ordinance No. 01-118 Consideration of Sewer System Maintenance Ordinance Amendment, Second Reading and recommended adoption. John, do you want to give us a little quick summary on that and we'll go from there.

PUBLIC SERVICES DIRECTOR JOHN FULLER: Mayor Quesada and

Members of the Council, the proposed changes embodied in the ordinance before you tonight on the second reading would basically change the current code to place more of the responsibility for sewer lateral maintenance, specifically that portion of the sewer lateral that is located in the street right-of-way would become the responsibility of the City as part of its maintenance of the sewer mains and the rest of the sewer system. The private property owner would still be responsible for that portion of the sewer lateral located outside of the street right-of-way within their front yard or side yard, wherever the case may be. That's fundamentally what the ordinance is about.

MAYOR QUESADA: Thank you, John. Thank you very much. And I do have Member Aleida Rios.

COUNCILMEMBER RIOS: I make a motion and recommend adoption of Ordinance 01-1188.

MAYOR QUESADA: Vice Mayor Aiello.

VICE MAYOR AIELLO: Second.

MAYOR QUESADA: Okay, the motion has been made and it's been seconded. Cast your votes. We have a four and one no. [Councilmember Lewis voted no.] Thank you very much. We now go to the public hearing, Adoption of the General Plan. Staff.

ACTING DIRECTOR, BUILDING AND PLANNING RANDY JEROME: Thank you, Mr. Mayor and Members of the Council. I'm going to try to make this short and I know you wish everybody else would make it short also. As a way of introduction, the General Plan process started back in September of 1997. The Planning Commission made a recommendation for adoption of the August Hearing Draft of the

General Plan back in June 26. It went on to City Council in September and the Council on the September 17 meeting asked that it be taken back to the Planning Commission where a number of items were asked to be looked at. Specifically, issues relative to the Marine Commercial uses downtown, the location of a fire station out in Bay Point, the reclassification of a land use from Medium Density to Low Density on the St. Vincent de Paul area on Central Avenue, and also a reference to the high school out in the Bay Point area. Other issues were also asked to be brought about for the General Plan, and on the October 2 public workshop, the Planning Commission reviewed those specific requests and they also reviewed requests relative to land use changes in the hillside areas of the City - southern hills - and recommendations were made by the Planning Commission that there be certain changes to those land uses. And I can direct you to this map prepared here, specifically where those are. We're talking about the southwest hills, which is a subarea of our General Plan. The request there was to change it to, from a Hillside Low Density with protected ridgelines to a Low Density consideration. Also there are some minor changes to the Buchanan Road area, development out there to add, again Low Density rather than Hillside Low Density and also to replace some of the Open Space with development, and a real minor change to the Woodland Hills area in here. Initially staff had felt that these were major changes that would have to go back for restudy and perhaps recirculation and we felt that if it was going to come back at this early of a stage, we would have to do some further study, or at least separate it out. The Mayor asked that

this General Plan move forward for adoption this month, which we thought was going to be a tall order, but I can tell you by Herculean staff by planning staff, our consultant and a team of attorneys, we were surprised we were able to put this package together. What we have in the documents are the approval recommendations. There are three resolutions. The first resolution is for certification of the Environmental Impact Report. Second, we have a resolution adopting findings of impacts and overriding considerations and a Mitigation Monitoring Program. And finally we have the resolution adopting the General Plan itself. Attached to that is a series of about - I think around - forty different changes to the General Plan policies, maps, tables and so forth. That's what we thought was going to be a real tall order to do but we were able to put that together. And, what we are recommending tonight is that this document be adopted, which is the Hearing Draft General Plan, as amended by those forty or so revisions, which are called the General Plan Modifications. So that resolution would adopt this document with those changes. With that, I think I am completed. But this is a long process and we are happy to present it to the Commission tonight and we are looking forward to having the General Plan go forward and implement the plan, which includes rezonings, a number of other policies and so forth, issues that would have to be done in the next couple of years. So with that, I will entertain any questions or answer those as they might come up as time comes.

MAYOR QUESADA: Okay, I do have, I do have four speakers, so I've got to open the public hearing and I'm going to have to ask

the speakers, because there's only one that's been addressed specifically because we do have one, two, three, four resolutions and only one is identified with a resolution number that they asked for of the four speakers that I have. So I'll start first with Bertha Stobb who gave me the first speaker's card. And you just want to talk in general on the General Plan, right? We'll wait till she gets here.

BERTHA STOBB: Good afternoon, good evening Mayor, Councilpersons, what I am doing tonight is referring to the letter that's directed to you from the Community Advisory Commission. We are answering the six questions or six points that was presented to us by the Planning Department and we're giving our comments on it.

They're not necessarily in the order that they were given to us, but our letter reads Ridgelines and Open Land Use. We do not support changing the ridgeline or reclassifying the open land use in the southwest hills areas. We felt the ridgelines and open land use should remain as indicated in the General Plan. Item number two is relocation of Fire Station 86. City Council chose to exclude CAC from any decision making concerning the fire stations, therefore we have no comment to make now. Item number three is the southwest quadrant of Central and Solari Avenues land use. On the issue of changing the density, CAC had no comment. Item number four, downtown's Marine Commercial land use. CAC voted for the General Plan to be left the way it is. Item number five is the educational facilities in Bay Point. CAC thinks that since this is Pittsburg's sphere of influence and recommends a meeting should be arranged between the School Superintendents of Pittsburg Unified

School District and Mt. Diablo Unified School District to discuss the land and getting a high school in the Bay Point. Continuing with this, they also recommended the General Plan be changed to reflect the correct number of schools in Bay Point. There are four schools in Bay Point, not two. And under goals, bikeways and pedestrian movement, CAC said bike friendly roads could alleviate congestion and recommend nothing should be changed in or deleted from the General Plan. Our last statement is CAC strongly felt that the Planning Commission worked on the General Plan for over two years and we should respect the hard work that they did and leave the plan as is. To not do so would be the ultimate form of disrespect. Thank you for your consideration in these issues. And I thank you very personally tonight.

MAYOR QUESADA: Thank you, Bertha. Okay, we do have two that wish to address the Item No. 1, which would be 9489, Certifying the Final Environmental Impact Report and Adopting the Mitigation Measures as Statements of the Overriding Considerations Contained in the EIR for the General Plan Update, "Pittsburg 2020, a Vision for the 21<sup>st</sup> Century." And we do have two speakers who wish to address the first resolution and I'll have them come up right now to speak. One is Mr. Campos and the other one is David Dolter. So whoever of the two, or if you want to come up as a twosome, it's up to you.

CARL CAMPOS: I think we'll go one on one first. I've got to heat the projector up here. I'm Carl Campos for the record, from Loving and Campos Architects, Walnut Creek. Our firm specializes in environmental design, land planning, master planning and

architecture. I'm here representing A.D. Seeno tonight. Dave Dolter, who is the Director of Community Development from the A.D. Seeno Company will come up directly after me and make a brief presentation and we'll both be available for questions if you have any. On October 2, we made a presentation to your Planning Commission regarding the southwest hills area and tonight this item is back before you at the recommendation of your Planning Commission that the Draft General Plan be amended such that it is changed from Low Density, Hillside Low Density and Open Space to Low Density Residential. I have a very brief presentation that I would like to make, if I could, to the Council just to show you what we showed the Planning Commission to hopefully reinforce that decision and get your support tonight on this issue. There are many communities throughout the Bay Area that have taken advantage of their hillsides and their ridgeline areas in select, very select areas. Pittsburg has a tremendous opportunity in the southwest hills area, in fact it just about is the only area left in your City to take advantage of this ability to provide an executive type home, an estate home, a larger home in which people that are invested in this community, they can actually buy a starter home here, they can raise their family here, get a larger home and if they're successful in business, in the trades or they go to the university and get a college degree, they become professionals and they can actually stay in this community and move up within this community. Many other communities surrounding Pittsburg have that opportunity and you do have that opportunity here in Pittsburg at the southwest hills area. There's a history that goes way back

throughout culture of development on hillsides, these are Italian hill towns. People spend fortunes actually to go see these hill towns. They're books written on the hill towns of Italy and hill towns of various areas of Europe. You can go see them. They're spectacular. They're beautiful. These towns are built on the tops of hills. Of course it was for defense mechanisms in those days, but they're beautiful and they're throughout Europe and they're spectacular to go and see. You can tell by this one that they're just spectacular pieces of architecture and there's nothing wrong - I don't know where and how our culture has gotten to where it's not popular to look at a house on a hillside. The Bay Area, the San Francisco Bay Area is a tradition, it has a tradition of building on hillsides and I'll show you that. Here's San Francisco. It's known as the City on a hill. If you look way off in the distance here beyond the Golden Gate Bridge, that's Marin County. It's completely filled with houses. Sausalito has homes built all along the hills. They take advantage of the incredible geography, the spectacular views that we have here in the Bay Area. There's San Francisco. What do we know. It's called the City on a hill. You have Russian Hill. You have Nob Hill. You have Pacific Heights. If we had hillside ordinances in effect that we have today in some of our communities, San Francisco wouldn't exist today. And it is a destination. It's a world class city. It brings people from all over the world to see the Bay Area. The Bay Area historically, traditionally is known as the Bay Area, the area with hills and views of the spectacular views that we have here. This is looking back at the Berkeley Hills, the Oakland Hills. These ridges are

twelve hundred, thirteen hundred feet high. They have spectacular views afforded of all the region from there. These communities recognize that and they've built in these areas in the past. Just in nearby communities like San Ramon, they have a specific ordinance that controls development in hillsides. They've recognized in their General Plan that they needed to afford an area for homes to build executive homes on. Larger homes on larger lots. And that usually happens in the areas of hills and on ridges where you have views. It can be done safely. Proper engineering design. You can single load streets. Put drainage elements and leave open space areas on either side. Single loaded streets, properly graded pads, not a lot of underpinning with homes that look like they're four and five stories high because they're traipsing down the hillside, but you grade flat pads and you properly take the drainage and convey it to the street to the storm drain channels. It's done in other communities. It's done in Pittsburg here in some of your developments. If it's properly engineered, it's very safe and you can provide a real amenity for the community. In Pleasanton, there's a subdivision that was done in the sixties coming along the hills up along this ridgeline, and there's a brand new one right across the street. These communities have recognized that to keep the people that are vested in their community here, they need to provide a housing component that will adapt to their lifestyle. Here's another development. You can see some of these trees recently planted. It's a little bit windblown up there, some of them are even falling down. But here's a home up on a hillside with spectacular views of the valley floor below.

This is where it's done even better, they've got the homes single loaded on a street coming up the street and then they come up to a crest of a cul-de-sac and all the slopes of the roofs kind of take the shape of the hill form and reduce the size and mass and scale of the homes on the hills. But beyond these homes up from this area right up in here and over here you have these spectacular views of the Diablo Valley. Alamo, just right down the road here has historically embraced hillside development. It is a community of a valley floor with the San Ramon Creek there, but on either side, the west side and the east side it has hills and they've allowed homes to be built up on bluffs, single story homes tucked in along the ridgelines. Sensitively planned, properly designed, it can be a real amenity for your City. Here's another view of that looking back, but you can see the Bay Area. That's a gift we have here. We live in an area that is geographically spectacular. We have spectacular views of the water and the hills throughout. Walnut Creek. Everybody knows Walnut Creek. These hills that you look at from the freeway are all covered with homes but over the years they've been filled in with trees and shrubbery. Southwest hills of Pittsburg. Let's get right to the point. You have a tremendous asset here in the community. Here's a map that just gives you an idea of some of the communities we've just looked at.

Over in Berkeley the Berkeley Hills are at seventeen hundred and sixty three feet. Lawson Hills eleven hundred and twelve feet. Lopez is eleven eight three and we get back toward Mt. Diablo which is over three thousand feet. And this mountain range, by the way that Pittsburg is blessed with, this open space, you've got the

river. You're geographically limited by the river somewhat like San Francisco. You've got the river on one side, you can't go out in the river. And you have open space, permanent designated open space in your southern hills. You've got the landfill area and all of that area, the Briones Regional Park. It all goes over - rather, excuse me - the Park District that goes all the way up to Mt. Diablo there, so you don't have a lot of opportunity beyond the southwest hills area. Our southwest hills area is about five hundred to nine hundred feet elevation, kind of dwarfed by these other hills where there's been development throughout. This is the area we're talking about. The green area represents permanent open space that can't be built in. Permanent. And it basically is all along the southern boundary of Pittsburg's southwest hills area bordered by the landfill and the Concord Naval Weapons Station. It doesn't really affect any neighborhood in Pittsburg other than the San Marco subdivision. There is the designation in the General Plan as mostly Open Space with a small component of Hillside Low Density Residential as proposed and the Planning Commission recommended that it be changed to Low Density Residential. Why? Because you have spectacular views from the hills. This is a view looking at the southwest hills back towards Mt. Diablo. You see the entire Diablo Valley there. You see Mt. Diablo, Clayton, Walnut Creek, Concord, just tremendous views there. Looking back up to the northeast you've got the river, spectacular views beyond, some of the development in Pittsburg. Here's PG&E, Pittsburg, development in here, just spectacular views from here. Just like other communities have in the component of housing that they've

provided in their towns. We looked at environmentally what is the impact of development on the southwest hills? What does the region see when they look back at the City of Pittsburg? What would the impact for development be? Well, these are the southwest hills. San Marco development is going on right now there. You really can't see them. This is southbound I-80 and I-680 in Benicia and we come back over the bridge and come back over Highway 4 at the Willow Pass Summit and this hillside blocks San Marco. Now this is the San Marco approved project. This has all been approved in the foreground for multifamily, apartments, townhomes. This has all been a previously approved project. So what you're looking at is not protected open space. The hills are in the background over here and actually the southwest hills are farther over to my right.

You get a brief glimpse of it as you come by. This again is zoned apartment. This is commercial. This is the San Marco subdivision under construction and it will extend up into this area over into here. The southwest hills would be over here and behind these hill forms. As you pass it very quickly, you've got about five seconds and you're gone by and you see the Alves property, the BART station embankment and you head down towards Bailey Road. You get all the way to the other end and looking back from the Antioch Bridge, this is the southwest hills over in here. You can't really see it very well and then you come back and approach it off of Hillcrest and you can't really see the southwest hills on the on-ramp there. Driving Highway 4 at Loveridge Road, you can't really see the southwest hills. Highway 4 at Railroad Avenue you begin to get glimpses of it. There's development in the future. There will be

more development here. There's also just a glimpse over these trees. The southwest hills are actually over in here. And from the City Hall parking lot you can test it, you can go right outside and look back and the southwest hills are over in this area. They're about five hundred to seven hundred feet high and they're certainly not Mulligan Hill or the other ridgelines that are protected permanently. We have some requested revisions that we presented to the Planning Commission, and that was that the proposed Draft General Plan has 37.1 miles of ridgeline in Pittsburg. Now those are very clearly shown on this map and our proposal was to remove approximately five miles of ridgeline and you still have 32.2 miles of ridgeline left. And remove the Ridgeline designation west of Bailey Road. The landfill is a border of Bailey Road and the Concord Naval Weapons Station is that border so the ridgeline designation to allow development behind these hill forms is, we believe, a smart move to afford an executive community to be built back in there. So basically what we presented was change from Hillside Low Density and Open Space to Low Density Residential. The reality of it is we're not going to get much more than three units to the acre, which would conform pretty much with Hillside Low Density Residential in this area. So, what we asked the Planning Commission to recommend to the Council was to revise the Draft General Plan to allow executive hillside homes at the southwest hills by removing the Ridgeline designation west of Bailey Road and designating the area west of Bailey Road as Low Density Residential, and we told them that there could be minor text changes, which staff has confirmed tonight. That there be

minor text changes consistent with the above. And most importantly, I believe, what will these revisions accomplish? It's going to provide move up opportunities for existing Pittsburg residents who are invested in the community. You can be born here.

You can go to high school, go to college or enter the trades or get a job and raise your family here, and if you become successful and want to move into a larger home, a home with a view, you don't have to move to Walnut Creek, Pleasant Hill, Alamo, Danville, anyplace else. You can actually stay in Pittsburg and have an area in Pittsburg that's designated like this and you can have a home with a view. A spectacular view of the Pittsburg area, which is, by the way, beautiful as you can see by those slides. It will also support economic development goals that are outlined in your General Plan by encouraging and maintaining a high quality business in Pittsburg, by providing executive housing. And I'll show you a slide in a minute that will reinforce that. You're going to have more and more businesses being built out here. We see it as a trend in our business. San Francisco and Oakland, Santa Clara, those are the big areas where there's a lot of development, a lot of growth, a lot of business opportunities. Everybody from this area commutes in that direction. Many, many businesses are establishing and looking for large office areas that they can establish their businesses in these communities out here where their workforce is. It's going to allow Pittsburg to provide executive housing like other nearby communities as I showed you. Other communities have made plans and provided an area in their community for this. They've allowed people that are invested in

the community to stay there. It's going to provide a significant increase to the City's property tax income. These will be expensive homes. They'll provide a redevelopment tax increment which is very difficult for most cities to come up with. Everybody has a lot of plans for redevelopment, but getting the tax increment for that is very difficult. Residents will also have a high disposal income. They'll also contribute to the City's sales tax revenues. And, another important point, I think, is that Pittsburg has probably the highest component of affordable housing in the County. You're kind of lopsided in one end you have a very high component of that and you need to balance out and this is going to provide a diversity of housing stock that will fill in the type of housing that you currently don't have in this City. And it's going to free up affordable homes as existing residents move up within Pittsburg. What will they not do? The Planning Commission agreed with us that they would not significantly impact the visual quality of Pittsburg's hillside backdrop. I showed you the visual tour of the area. The changes will not significantly reduce the potential open space area. We're talking about 32 miles of ridgeline, permanently protected all the way to Mt. Diablo that's permanently left, cannot be touched, it's in the East Bay Regional Park District and the landfill area. And it will not impact sensitive environmental areas. These areas are not full of oak studded trees and hills and stuff like maybe the other communities. This is a plan that currently is being reviewed by the County. It's the plan for the Pittsburg BART Station. It's one plan that we did. It's got a million square feet of office. It's a mixed use community

that has residential. Over 200 units of high density housing, has restaurants, retail in a mixed use form provided in this area. Has parking facilities right directly next to the BART station. This is the future of Pittsburg. It may end up all high density housing. It could end up as a million square feet, as shown here, but this is the future of Pittsburg and the people that are going to occupy these corporations are going to want to be able to live nearby. And you have an area in the southwest hills that's exclusive, that's nearby that they would be able to move to. And so that's, you know without vision the people perish and I think you've got this tremendous piece of property here at the Pittsburg BART Station and you have tremendous opportunities here within this community to become a real player. Finally, a woman's home is her castle. I believe everybody should have the right to move up to the home that they believe suits their lifestyle and I think you need to be able to do that in Pittsburg. And where would this beautiful piece of architecture that people travel from all over the world go, where would it be today if we had a hillside ordinance and a ridgeline protection ordinance in this area when they built this? So, our objective is not to be environmentally wrong, not to be crude about it, but this is an area in your community that has tremendous opportunities, it absolutely is an area that's bordered by the Naval Weapons Station and the landfill and San Marco, the developer of the subdivision. So, it's a real opportunity. It doesn't really affect anybody and it provides a tremendous, tremendous bonus for the City. That's the end of my presentation.

I would like to have Dave Dolter, the Director ...

MAYOR QUESADA: The Vice Mayor has a question.

CARL CAMPOS: Thank you.

VICE MAYOR AIELLO: Thank you, Mr. Mayor. Just one question real quickly and that is with a high end development like that in that area, would it significantly or even marginally drive up real estate values also in the Oak Hills subdivision both I and II, Montara, and potentially any properties that would be located on the Alves property as well. Would those properties also escalate in value as a result of something like this?

CARL CAMPOS: I think, yeah, I think I can only say probably. Most likely. Development, I mean, housing in the area in Pittsburg in general will increase in value. You'll have a community that has a well rounded diverse mix rather than just only one kind of housing. So it'll help everybody. Any other questions?

MAYOR QUESADA: One of the questions that I have because of what we've of the development that has happened at every BART station is that I wouldn't call it strip development, but it seemed like everything clusters around wherever a BART station is. There's a lot of hotels that come into being. There's all kinds of shopping areas that put themselves as close as they can to it. And of course, that's something that brings additional revenues to the cities ...

CARL CAMPOS: Absolutely.

MAYOR QUESADA: ... besides just the homes themselves.

CARL CAMPOS: Correct.

MAYOR QUESADA: The Commercial growth that happens that

expands and gets bigger and we're now talking, and I hate to say this, but it just seems like BART is saying now 'Let's put up another parking area or build a garage at the new BART station, Pittsburg Bay-Point' that tends to tell me they don't look to want to be going any further east than what they are now. That means that even our second station that we're looking at in the center of Pittsburg probably will never be accomplished. For the simple reason that the money is going towards Santa Clara County and in that area and they're already talking about let's build a bigger garage to put more parking there ...

CARL CAMPOS: Cars, correct.

MAYOR QUESADA: ... more cars, and they're not going to go east any more than what they are right now. So, we have to develop that area to really suit for in the future for any commercial growth, any industrial, well not industrial, but light industry growth, or business growth that happens there.

CARL CAMPOS: I agree a hundred percent with you. And if you let the BART station be turned into just a giant parking lot than the development around it, that's what's going to happen. You're going to just be a commuter city and people are going to park in this station and go to other places to spend their money and earn their livings. I think you have a real opportunity at the BART station whether it be for housing or for commercial mixed use development there, you'll get the hotels, you'll get the restaurants, you'll get the office component. Just as an aside to that that reinforces the decision on the southwest hills, is that we're involved in a development in the next door community to the

east and there were, there was a provision to provide, it was a jobs/housing balance issue and we talked to corporation directors and heads of corporations and their committees and they wanted to locate in this area. They wanted to be out here because their work force was here and they were paying a real premium in job turnovers with people commuting all the way across, but there wasn't any housing stock. There wasn't any housing stock for the middle executives and stuff, for them to be able to live the way they wanted to live. And I think in the southwest hills you have that real opportunity to provide that here. And I think the BART station is going to come. It may not happen in the next ten years or five years but I believe it's going to happen and I think if it's done properly it'll be a real, a real tremendous bonus to the City of Pittsburgh here.

MAYOR QUESADA: Thank you. We have another member. Yvonne Beals-Rogers.

COUNCILMEMBER BEALS-ROGERS: I was just curious to know how many homes are you talking about approximately with this expansion into the hillsides?

CARL CAMPOS: Oh, probably at a maximum, the way to do the development here is to respect the hills and to grade properly. We've got to get some roads through for safety and to connect over to Bailey and the way to do that is to cluster the development and leave large areas of open space. So, I think we're going to get probably an average density of three to the acre. We're allowed up to seven. There would be some areas where it will be if you took it on a net acreage at seven or five or six, but the overall

density with respect to all the open space that'll be left will be somewhere around three, which is really in accordance with your Hillside Low Density designation. The only problem with the Hillside Low Density designation is it would virtually on the zoning here you wouldn't get any housing with the way the contours of the terrain and everything. You'd get none, basically. Just a small pocket of it.

COUNCILMEMBER BEALS-ROGERS: A follow-up question. How many houses are currently planned for San Marco?

CARL CAMPOS: Dave, do you know?

DAVID DOLTER: For San Marco Meadows, or San Marco itself?

CARL CAMPOS: In the southwest hills area?

DAVID DOLTER: In the southwest hills area there's about seven hundred and twenty plus another four hundred or so. I think you're talking about a total impact of approximately fifteen hundred throughout the three sub, planning subareas.

COUNCILMEMBER BEALS-ROGERS: Thank you.

MAYOR QUESADA: Any more questions from Council?

CARL CAMPOS: Should I turn that projector off?

MAYOR QUESADA: Okay. Thank you very much.

CARL CAMPOS: Thank you.

MAYOR QUESADA: So, you have before you, Members of the Council, the resolution - Oh, you've got another one. Oh, I forgot about you.

DAVID DOLTER: That's okay, Mr. Mayor. Carl forgot to reintroduce me, so it's his fault.

MAYOR QUESADA: He was on the sidelines there.

DAVID DOLTER: Thank you very much Honorable Mayor and Members of the City Council, my name is David Dolter and I'm the Community Development Director for Seeno Company. My comments today are directed to the matter of the sufficiency of the Final EIR and its level of analysis for the General Plan modifications recommended by the Planning Commission to you on October 2. You have a copy of my letter indicating my background and qualifications so I'm not going to restate those here, but I would like to mention the key points of my letter for the record. First, the impacts of the General Plan Modifications are analyzed in sufficient detail in the Alternative section of the FEIR. The nature of these modifications, while not identical, is significantly less severe and less substantial than the other analyzed alternatives. These alternatives were subjected to a through analysis in Section 6 of the Draft EIR and extensive public review and comment. Secondly, the General Plan contains appropriate measures to mitigate the impacts of the General Plan Update, including the modifications before you. One of the mitigations required is to set density levels, which we just discussed briefly, for the planning subareas affected lower than the density for Low Density Residential areas in general. Thirdly, formal and pending development project applications are well below the density thresholds used in the General Plan and within the range of the proposed General Plan modification mitigations. And finally, because the General Plan Update is conceptual, the EIR prepared in conjunction with the update is adequate as to its level of analysis. The General Plan Modifications do not constitute new information and recirculation of the EIR is not required for that

or any other reason. Therefore, the City Council is, in my view, free to act as recommended by staff without recirculating the EIR.

I would be happy to answer any questions you have.

MAYOR QUESADA: Any Member of the Council have any questions?

DAVID DOLTER: Thank you very much.

MAYOR QUESADA: Thank you very much. We do have - Linda I want to ask you a question. I have three who have requested the 01-9490 and the one that we're talking about right now happens to be Resolution 01-9489. Do we take them, can we act on them now once we completed with the speaker's card.

CITY ATTORNEY LINDA DAUBE: Yes, you've opened the public hearing. You could, there are one or two ways you could do it. One is you could take testimony on all of them and then adopt them one, two three, or you can ask if anyone else wants to speak on Resolution 01-9489. But I think my recommendation would be to continue the public hearing on all three of them, close the public hearing, and then vote on each of them separately.

MAYOR QUESADA: Okay, I think it's better if we listen to all of the input and then we can take them one, two, three. Is that all right with the Council? Okay, so at that time, we'll ask for Bruce Bauer to come forward.

BRUCE BAUER: I'm going to put this up, but I don't know where.

MAYOR QUESADA: Sure, right up there on one of the other ones if you want to. Bring it up.

BRUCE BAUER: Thank you. My name is Bruce Bauer. I'm with Collier's International. I'm here on behalf of several owners

representing their interest in these properties. Among them is Uecker and Associates, the dispersing agent for the reorganized Los Medanos Community Hospital District. What I want to do tonight was first talk about the location of these properties, second give a brief historical overview, and then a current status of what we've been trying to accomplish in the last couple of months. To orient you, the Highway 4 corridor is here and this is Loveridge Road and East Leland and Gladstone. The Community Hospital is right here. There are four properties in total; property east of Gladstone, property west of Gladstone, the property at the corner of East Leland and Loveridge and the fourth one is the property fronting ...

MAYOR QUESADA: Diamond Ridge.

BRUCE BAUER: Pardon me?

MAYOR QUESADA: In front of Diamond Ridge?

BRUCE BAUER: Yes. In December 1998, Colliers International, a commercial real estate firm was hired to market these properties as commercial opportunities. During that period of time, we had very little interest in someone acquiring these sites or developing them. In June of 2000, the City staff approached us and requested that as part of the General Plan process would we be interested in designating these properties as Medium Density Residential. That was acceptable to the owners who felt that given what we had been trying to accomplish, a residential designation might have a better opportunity of being developed and trying to complete this area of the community. In addition, as part of the General Plan process, Uecker and Associates requested that the property fronting on Loveridge, about two acres, also be converted to a residential

designation. We worked with the Planning Commission. With their support they approved our request to convert this to a High Density Residential designation. So what we have before you are three properties of the four that working with staff and working with the Planning Commission have all concurred that it would be reasonable to convert these to Medium and High Density Residential. Currently, we have been working with staff on preparing some site plans, preliminary at this case. In addition, we've put together some architecture. We've taken staff and toured some various subdivisions in the Bay Area giving them some ideas of what we're thinking about doing. And to date the response has been favorable.

If at the end of this process you should decide to approve this recommendation of the Planning Commission and our support of staff, we're near ready to submit for a tentative map. I would be happy to answer any questions you may have.

MAYOR QUESADA: I think, and I guess I'd be speaking with Councilmember Bob Lewis, one of the sites, the one right in front of Diamond Ridge is being looked at as a possible new site for a fire station ...

BRUCE BAUER: I understand that.

MAYOR QUESADA: ... which is right smack in front and it's one of the parcels that you have. And we've got to make sure that that designation does not change from quasi, which it is right now, so that we can accommodate the movement of those fire stations to meet those needs, because in order to give us equal service all over town. So that's one of the properties that you own. The other two properties that you own is the one right on the corner, three

properties I should say, the one on the corner that was separated from the rest of the hospital for a long period of time. It was destined to be Commercial ...

BRUCE BAUER: And it still is proposed as that.

MAYOR QUESADA: ... at the time that it was sold by Dr. Bernstein to his - I hate to tell you but I sat on the Hospital Board, okay?

And then the other two lots that you're talking about over there in front of Gladstone, one of them has so darn many easements on it, what the heck are you going to build other than a parking lot?

That I know of because at the time I sat on the Hospital Board we were thinking of putting doctor's offices over there and then we ran into that problem. So, I think that we really have to look at it and it's something that we have to address, just like you're doing to us now. And that's part of the, part of the part of the that I guess we're going to be talking about in general, is the Housing Element. And there's those properties that are there. So, I'm just speaking as one person that knows what is there and what they owned, being that I was an ex-member, Boardmember of the hospital.

BRUCE BAUER: If I can make two comments. One, there's another gentleman with me tonight, Mike Brody, who will address part of your comments that you brought up about the fire department. And secondly, I am aware of all the easements. There are two of those easements that quite frankly, you're right, do have to remain. But because the property wasn't developed as an office complex, those easements can be abandoned. And we've developed a plan - because they're just on paper we've developed a

plan - that works around the two easements, which are sewer that we cannot change. And so we have developed a site plan that does accommodate those needs. As well as on the property that's on the east side of Gladstone, there is a large storm drain easement which we are aware of and have also been working to resolve that problem.

MAYOR QUESADA: Okay. Thank you.

BRUCE BAUER: Any other questions?

MAYOR QUESADA: Yes, Member Lewis has a question.

BRUCE BAUER: Thank you.

COUNCILMEMBER LEWIS: Thank you, Mr. Quesada. I would usually reserve these remarks until after the public hearing was closed, but I do want to go on record. I've studied this issue for a long time and my position has always been very very clear. I for a long time said that the Leland and Loveridge Road intersection and the Leland Road corridor is really where the future of this City is, and you don't have to look any further than right across from this building on Railroad Avenue where planners in the past allowed residential development right along Railroad Avenue that we're now having to go in and buy through redevelopment and tear down and bring it back to the commercial development that should have occurred on Railroad Avenue at that time. I do believe that Leland Road is going to be the Railroad Avenue of Pittsburg in the future and that the corner of Loveridge and Leland is, in fact, going to be one of the primary commercial areas of the City in the future. Everybody wants to build housing. It's the easiest thing to build, the easiest thing to sell, but these lots that front on Leland Road are some of the prime areas, maybe not today, but five to ten years

down the road where I'm looking to see Office, Commercial and that kind of development. There's already has been a proposal to rezone the lot on the west side of Loveridge Road south of Leland and previous Councils have rejected that plan. It's, you know, I don't have a problem with planning staff. I mean it's their job to try to plan for developments. It's our job as a City Council to try to look to the future and make sure that the areas of the City are available for the kind of growth that we want to see, and certainly I'm not going to be in support of converting prime property on Leland Road to residential use. Not when there's acres and acres of residential area in other parts of the City and you would be taking away some of the prime areas where future commercial development could go. So, I have never supported residential development in the Leland Road/Loveridge Road quadrants and I'll continue to not do so consistent with my previous positions. Thank you.

MAYOR QUESADA: Member Rios.

COUNCILMEMBER RIOS: I also would like to go on record saying I do not support changing this to a Medium to High Density area. It is currently on file as Business Commercial and on the General Update Plan, they changed it to Medium Density. So I would definitely not be supporting that. I share the same concerns that Councilmember Lewis has and also to even consider in putting Medium to High Density housing on a street that is already busy is just crazy. So I just want to share with the public that I will not be supporting this to be changed to Medium Density to High Density and keep as is, Business Commercial.

BRUCE BAUER: Thank you.

MAYOR QUESADA: Thank you very much for your presentation. We do have ...

BRUCE BAUER: If you could follow me with Mike Brody.

MAYOR QUESADA: Michael Brody.

MICHAEL BRODY: Good evening Honorable Mayor, Councilmembers. I'm here from the law firm Murphy, Weir and Butler and representing Susan Uecker as the liquidating agent for the Los Medanos District. As our broker, Bruce Bauer has represented to you, the interest in the Susan Uecker parcels represent a way for a sale of the property for residential development. And this brings two benefits to the people of this community. First of all, it represents an opportunity to close out the liquidation of that estate and to pay creditors back who have been waiting patiently for four, to six, to eight years. There have been some modest interim distributions but this property has not sold as a commercial use despite what the future may bring. I'm sure that the creditors would like to be paid, would have liked to have been paid years ago, and would certainly like to be paid sometime in the near future. The opportunity to go ahead with the General Plan is before you and designate this for residential use offers that opportunity to many of these folks who are wage earners. These are wage earners claims. These are people in the community that were owed money out of that estate for their work in it that represent vendors and local businesses who can be paid out of that distribution as well. I had the pleasure to sit through the earlier presentation on the benefits of estate housing and keeping

people in the community. There's also benefits to having moderate and available priced housing and we think that that sort of use is not incompatible with what has been presented to you. We have been made aware that the County wants to look at one of the sites, among other sites, for use as a fire station. Of course that kind of interest might have been more welcome some years ago, and we understand it's only tentative now. I don't think there's anything incompatible with accepting and approving a General Plan designating this as residential because if the fire department were to want to come into a part of the site, if that made economic sense to them, if it made planning sense, if it made access sense to this body and to planning, then through a conditional use permit that would be a permitted public safety facility use in a residential neighborhood. And of course we've all seen that use in this community and other communities. So there's nothing incompatible there. Additionally, I understand from the correspondence that the County fire district has sent in that they're looking for about one acre, which carves out just a piece of the property. And I'm not sure that that represents a feasible economic use for them. There is a separate one acre parcel also identified to you that they could look at and I'm sure there are alternate sites. Again, the point being that there's nothing incompatible with permitting a residential use and letting the fire department continue to do its studies and we'd work with them on a conditional use basis. What we'd like to see is a disposition of this and from the liquidating agent's point of view, a chance to pay out these creditors and let them go on with their lives.

Thanks.

MAYOR QUESADA: We do have a question from the Vice Mayor. Vice Mayor Frank Aiello.

VICE MAYOR AIELLO: Thank you. I just want to go back to what you're talking about being compatible and I'm going to very strongly agree with Councilmember Lewis here, because what is not compatible is High Density or Low Density housing when you've got a school with twelve hundred and eighty three children already in it, when you've got Stoneman that's already overcapacitated, and you've got nowhere to put these kids. What's incompatible is when you've got twenty thousand cars going down that street and one of those children walks into the street and we have a liability issue. That's incompatible and it's not acceptable. I understand what you're talking about, but the bottom line is, housing there is unsafe. It's not an issue of compatibility. It's unsafe. Do your traffic studies. See if you can get another kid into those schools. It is unsafe to put any housing element there.

MICHAEL BRODY: Thank you.

MAYOR QUESADA: Thank you very much for your presentation. We have one more speaker. Bruce Ohlson. Oh, are we that bad Bruce. Thank you, Bruce. Okay, now we have Council deliberation, and before we do that we have to close the public hearing. At this time we close the public hearing and we go to the first item which is Resolution 01-9489, certifying the EIR. And I have Vice Mayor Aiello.

VICE MAYOR AIELLO: I do have some comments to make regarding 01-9490, but that is not going to be significant as to what I will

propose here and that is I will propose that we accept Resolution 01-9489.

MAYOR QUESADA: Member Beals-Rogers.

COUNCILMEMBER BEALS-ROGERS: Thank you. I just wanted to state that for the Environmental Impact Report because of the changes will affect, or the ones that will be included will affect the ridgelines, I'm going on the record for voting no.

MAYOR QUESADA: Okay. Member Rios.

COUNCILMEMBER RIOS: I second the motion.

MAYOR QUESADA: Okay. The motion's been seconded and we do have Member Lewis.

COUNCILMEMBER LEWIS: I guess a question to the City Attorney, approving the Environmental Impact Report has no bearing on which elements of the General Plan we're going to adopt, change, leave the same?

CITY ATTORNEY DAUBE: Generally not. Unless you are going to propose something that is ...

MAYOR QUESADA: Drastic.

CITY ATTORNEY DAUBE: ... you know, hasn't been considered by either the Planning Commission or here tonight, it won't, and actually you need to have the EIR adopted in order then to adopt the General Plan.

COUNCILMEMBER LEWIS: So this has no bearing on the Commercial designation along Leland Road or ...

CITY ATTORNEY DAUBE: Oh, that is correct. I'm sorry. I misunderstood your question.

COUNCILMEMBER LEWIS: That was my understanding. Thank you.

MAYOR QUESADA: Okay, we have Member Beals-Rogers.

COUNCILMEMBER BEALS-ROGERS: So, with the designation on Leland Road, it would be affected by this EIR? I didn't understand Mr. Lewis' question here.

CITY ATTORNEY DAUBE: Oh, okay.

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: If I can address the Council on that. There's some discussion about changing the land use designation and I'll point it out to the audience also. We're talking about this area right around the hospital, Los Medanos Hospital. Initially this, currently this area is zoned Commercial ...

MAYOR QUESADA: Quasi, quasi-commercial.

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: ... I'll just use the Commercial designation along Leland. The Quasi-Commercial is along the Loveridge Road area.

MAYOR QUESADA: On the Loveridge Road.

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: Right. And this was actually presented in the earlier drafts of the General Plan. Through the deliberations of the many public hearings that were presented to the Planning Commission, the Planning Commission agreed with some of the recommended changes made by the proponents tonight that those be changed. This is right in the time when the liquidation was going on with the hospital and there was some support for the problems associated with change in finding commercial users. So the Planning Commission was sympathetic to those changes. That being said, the changes themselves are relatively minor. If the Council does change it to those, say

let's just say for the sake of saying those non-residential changes would be insignificant in terms of the Environmental Impact Report.

We would have to go back and recalculate the numbers but we have to do that anyway in our formatting a lot of the other policy changes.

But nonetheless, it would be insignificant.

MAYOR QUESADA: Thank you, Randy. And we have Vice Mayor Aiello.

VICE MAYOR AIELLO: Just one question. I didn't see it in the changes. Randy, can you briefly before I go ahead with this motion, can you briefly describe for the audience and for the Council one of the designations on the Alves property, please, because I didn't see any changes or discussion on that in the Planning Commission and I have some different views than what might be there. So could you go over that please?

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: The Alves Ranch property is right in this area here. The changes shown are reflective of the Development Plan that has been preliminarily submitted by the proponent for the Alves property. Effectively what it shows is Commercial Office between Highway 4 and Leland Road on the west side of the property and apartment complex, a High Density apartment complex on the east side of the property between Highway 4 and Leland Road. And then south of Leland Road, it's a Medium Density, kind of a High Density single family for a portion of the property up to about where the power lines are and then Low Density Residential to the south of that transitioning actually down into Estate zoning.

VICE MAYOR AIELLO: Okay, now my second question on this to

follow up on this would be, and this can go to either you [tape change] the addition of flat land for a junior high school, which is a second school in that area which is imperative and also that that whole area be zoned Low Density consistent with the upgrading of the Montara, Oak Hills and that area to keep everything upgraded. I think we have enough High Density in the City, so the question would be if the Council were to go for a change of Low Density throughout the entire development along with a stipulation of flat land for a junior high school.

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: Right now, we're in the process of developing the Environmental Impact Report for the Alves Ranch project. The latest draft of that which has not yet been submitted for public review anticipates a school site.

It's not indicated whether or not it's a junior high or an elementary school, but there is definitely considered to be a school on that site. Again, the EIR is drafted with the assumption that the land uses shown in this General Plan will be going forward, but in and of the case, the application was a General Plan Amendment under the General Plan, so in other words, they're asking that the General Plan be amended to the development proposal I just described.

VICE MAYOR AIELLO: Okay. That's fine.

MAYOR QUESADA: Okay.

VICE MAYOR AIELLO: Then the motion stands.

MAYOR QUESADA: No, I have Councilman Lewis who wants to ask a question.

COUNCILMEMBER LEWIS: Randy, I just want to clarify for my own

understanding here. If I as a Councilmember did not want to change the designation on the current General Plan in the Loveridge/Leland Road area, approving the Environmental Impact Report would have no bearing on that. I want to be clear about that.

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: No, it's insignificant. These are small areas and the traffic, other impacts would be insignificant because of the small nature of it.

COUNCILMEMBER LEWIS: Thank you.

MAYOR QUESADA: Okay. I have Councilmember Rios.

COUNCILMEMBER RIOS: Randy, I just need some clarification on the Alves Ranch. Those modifications to that plan that is going to come before the Council. Is it included in the EIR? And if so, is it included as Low Density, High Density, what?

ACTING DIRECTOR, BUILDING AND PLANNING JEROME: It's as shown here which is pretty much as I explained, it's High Density between Highway 4 and Leland Road on the east part of the site. A Business Commercial, we're looking for apartment, I'm sorry, not apartment, but Office complex on the west part of the site, and then the school that Member Aiello referred to on the east part of the site below the transmission towers and then kind of a Medium Density Residential and they're looking at some kind of a High Density single family detached product on the property and lower density in the upper hand.

COUNCILMEMBER RIOS: Okay. I understand that. But if I were to go with Councilmember Aiello on the Low Density issue, would that have an impact on the EIR?

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: No, because

you're talking now about less impacts associated with it.

COUNCILMEMBER RIOS: Okay. All right. Thank you.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Okay. Now again, the EIR that will be going out for public review is anticipating that Development Plan.

MAYOR QUESADA: Yeah.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: For instance, if the Council changed it to all Low Density or whatever, it would be coming back before you for a change to that Development Plan.

MAYOR QUESADA: Okay. Beals-Rogers.

COUNCILMEMBER BEALS-ROGERS: Randy, I have another question. We're talking the Alves property and Loveridge and Leland corridor and having less of, or less or no significant impact to the EIR. In your opinion, just for confirmation for me, would the ridgelines, they would have a significant impact to the ...

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Well, that's what we evaluated in the documents that you had. Our initial gut reaction was yes, that it would. But we've looked at it in the concept of the entire Draft EIR and we had a number of alternates that were looked at. And if the Council remembers some of the, a couple of years ago we had different alternatives. We had what was called the moderate hillside growth alternative which showed development on the hillsides which is far greater than what we're showing on this plan here, as well as some other developments which did not develop in the hillsides but had development towards the water and so forth. Both those alternates had far more impact environmentally than the proposed product here and we're

essentially relying on the fact that this modification that we're making in the southwest hills area is less intense than even those alternatives which were studied in detail in the EIR.

VICE MAYOR AIELLO: Call for the question.

MAYOR QUESADA: Okay, the question has been called for. We have a motion before you and a second. Please cast your votes. We have four yes and one no. [Councilmember Beals-Rogers voted no.] We now go to Item Resolution 01-9519, Adopting and Approving the Findings and the Mitigation Monitoring Program and a Statement of Overriding Consideration for the Approval and Adoption of the Comprehensive General Plan Update "Pittsburg 2020, A Vision for the 21<sup>st</sup> Century." And I have Vice Mayor Aiello.

VICE MAYOR AIELLO: Move approval 01-9519.

MAYOR QUESADA: Member Rios.

COUNCILMEMBER RIOS: Second.

MAYOR QUESADA: You have before you the motion. At this time, kindly cast your vote. We have four yes and one no. [Councilmember Beals-Rogers voted no.] We are now going over to Resolution No. 01-9490 Adopting the Comprehensive General Plan Update "Pittsburg 2020: A Vision for the 21<sup>st</sup> Century" and the Land Use Designation of the General Plan Update. Member Lewis.

COUNCILMEMBER LEWIS: I want to move to adopt Resolution 01-9490. I guess I need some clarification from Randy at this point, or the City Attorney about specific elements that we're taking in, leaving out, whatever. So, as I understand from the document, from reading through the documents that came back from the Planning Commission, the plan rezones the area in Central and Solari to

single family. Is that correct?

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Yes.

COUNCILMEMBER LEWIS: It also changes the language for the location of Fire Station 86 in Bay Point to a more general ...?

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Yes.

COUNCILMEMBER LEWIS: My motion will include then not changing the current designation of the properties along East Leland Road and Loveridge Road from Commercial and Quasi-Governmental. As proposed, this also includes allowing a Low Density Residential in the southwest hills as proposed by the Planning Commission and it speaks to the addition of Marine Commercial along the waterfront as Councilman Aiello requested earlier?

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Yes. Just for your information, that's in the General Plan Modification documents and there's about, almost fifty different modifications to the document, including tables and so forth. What has to be added to that is any changes you might make relative to the East Leland Road area and Loveridge.

COUNCILMEMBER LEWIS: Okay, my motion then will be to adopt Resolution 01-9490 with the designation that the current zoning on the area surrounding the hospital on Leland and Loveridge Road be left as they are in the current General Plan. Thank you.

MAYOR QUESADA: Member Rios.

COUNCILMEMBER RIOS: I second his motion but I would also like to include that the Alves Ranch be Low Density, okay?

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: For clarification, are you talking about the entire Alves Ranch between

Highway 4 ...

COUNCILMEMBER RIOS: The entire area, that includes the Alves Ranch and the southwest Oak Hills, that area.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: So are you talking about from Highway 4 south, or from Leland south.

COUNCILMEMBER RIOS: Leland south.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: So in other words, the area you see right now on the General Plan up in this area right here ...

MAYOR QUESADA: Right there.

COUNCILMEMBER RIOS: That's correct.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: That area currently under the General Plan is shown as Business Commercial on one part and Apartment High Density on the other part. And then south of it, again, we have some Medium Density and the school site. And am I understanding that you're saying south of Leland Road it should be all Low Density?

COUNCILMEMBER RIOS: It should be Low Density. Keep the school. The flat land for the school site. And also I'm making the motion with the addition of this for the exclusion of the Housing Element, which is not before us this evening because of my understanding it has been sent back to the State to look at and make some comments, so we are excluding the Housing Element out of the General Plan.

MAYOR QUESADA: We'll address that later.

COUNCILMEMBER RIOS: And the City Attorney will address that because I discussed that with her and she can share that with the

public.

MAYOR QUESADA: Member Aiello.

VICE MAYOR AIELLO: Yes, I would ask that, first of all, the amendment has to be accepted by the maker of the motion but I would ask that the second be limited to the Alves property and consistent, that it be Low Density and also that the junior high school be designated as a junior high school and that it be designated as flat land and that be limited to that area right there and that would be consistent with all the other housing element in the area as well anyway. So I would ask that the maker of the motion and the second amend to read such.

MAYOR QUESADA: Mrs. Rios, you are the second?

COUNCILMEMBER RIOS: Yeah. I will do that amendment.

MAYOR QUESADA: You will accept?

COUNCILMEMBER RIOS: I will accept.

MAYOR QUESADA: Now the maker, Mr. Lewis?

COUNCILMEMBER LEWIS: I guess I need some clarification. I don't have a problem with Low Density on the area of the Alves Ranch that was designated for residential. I'd hate to lose the Business Commercial just south of Leland Road that fronts on Leland Road and I understand that's the area now where it's designated for Business Commercial fronting Leland on the south of Leland Road.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Excuse me, are we talking about in the east part of town or on the Alves Ranch?

COUNCILMEMBER LEWIS: Alves Ranch.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: Alves Ranch is shown as Business Commercial on the north side only. North side

only of ...

MAYOR QUESADA: Towards Highway 4.

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: ... between Highway 4 and Leland Road. That's the only part where we have Business Commercial.

COUNCILMEMBER LEWIS: What do they have fronting Leland Road on the south?

ACTING DIRECTOR, PLANNING AND BUILDING JEROME: It's all residential.

COUNCILMEMBER LEWIS: That didn't seem like good planning. But, okay if the motion doesn't affect the Business Commercial then I'll go ahead and modify my motion to include that.

MAYOR QUESADA: It's accepted then, okay, by both the maker and the second. Now we have Miss Beals-Rogers.

COUNCILMEMBER BEALS-ROGERS: Yes, thank you. I just wanted to go on record with my comments. I've sort of held them throughout the public hearing and I would like to just address those before we do call for the vote. First, I would like to commend the Planning Commission for their efforts and the staff for their commitment in addressing all of the issues that are before us this evening. A couple of issues that we're talking about. I am in support of the Business Commercial development and the issues surrounding the school when we're talking on the western end of our City. It's the issues with the Leland/Loveridge that haven't been, well that were addressed earlier. I concur with the rest of my colleagues up here about the traffic and the increase of that traffic that could potentially be as a result on the Leland Expressway. The other

things I have concerns about was the southwest quadrant of the Central Addition and because I'm not too resolved with the pending issues on that, I still am not happy with the rezoning of that area. But my final comments are regarding the open space issue and that seems to be something that I take a strong position on because I respect the presentation that was given to us today and commend them for that but I just have a problem with the statement of that's our only area left, you know, and we need to take advantage of that. One of the, just because it's there doesn't mean we need to build on it. And I respect the history of our Italian culture and the hillsides and things like that, but if I'm not mistaken, the preservation of the agricultural land was the impetus behind building on the hillsides and that's not what we're dealing with here in Pittsburg. The Bay Area has been known for its rolling hills and green hills and that's why people have chosen to move out to the suburbs. San Francisco, great argument, it's a hill and they've built on it. It's also a concrete jungle and they benefit from that because of financial institutions, the business, all of the things that make San Francisco prosper, but they still have a jungle and people can't afford to live there. Similarly, the benefits of Pittsburg, unlike other cities, they aren't facing areas of build-out. They have open space areas, they get the luxury of having a big luxury, executive style home and also have that open space. We don't have that here. Alamo, San Ramon and Pleasanton, they get the best of both worlds with quality of life issues with having that open space. And not to mention they also have the higher incomes to support those homes. And here in

Pittsburg, I respect the promotion of our local residents trying to move up, but the truth is most of those residents who live in those homes are not local residents. They come from other areas escaping high housing prices all across the Bay Area. So I respect that we need housing but I just still think we should protect, if it's our only area left, we need to protect that because that's one of the reasons why people move out this way. It was one of the reasons why my husband is attracted to those homes because of the hills and the cows - sorry Oak Hills residents but he likes the cows - just because the land is there I really think that we need to protect our open space and one of the final comments that was presented to us was without a vision people will prosper but without protecting our environment, open space, nature and the habitat that live there, we'll all perish. And that's my final comment on that.

MAYOR QUESADA: Thank you. Member Lewis. No? No question. No question, we're to the vote of the Council on Resolution 01-9490. Please cast your votes. We have a four yes, one no. [Councilmember Beals-Rogers voted no.] Now go over to public hearing and the adoption of the Water System Master Plan Resolution known as 01-9520, Adopting the Water System Master Plan for the City of Pittsburg. Staff.

CITY ATTORNEY DAUBE: Mr. Mayor, before staff continues. I just wanted to make the recommendation that the City Attorney's office, as well as staff, had been working with one of the developers in developing a Water Capacity Agreement and so forth, and unfortunately due to the time constraints we weren't able to complete everything. Staff and the City Attorney's office believes

that these should be considered together. So the recommendation would be that we open up the public hearing to consider the Water Master Plan, we take testimony and then we continue it to a special meeting on December 10 so that we can have both the final agreement and further consideration of the Water Master Plan.

MAYOR QUESADA: At what time on the tenth of December for the Master Water Plan?

CITY ATTORNEY DAUBE: Five o'clock.

MAYOR QUESADA: Five o'clock. Is that all right with the consensus of the Council? So, we're going to take testimony. We're going to listen. You're going to open up and tell us exactly what the water plan is all about. Then we'll take testimony from anybody that wish to address and record their concerns to the Council and then we'll close the public hearing, not close it, I mean we'll adjourn it...

CITY ATTORNEY DAUBE: Move to continue.

MAYOR QUESADA: ...to December 10 at 5:00 P.M. for whatever action we will take at that time. So at this time, I'll let staff go and then I'll open the public hearing.

ACTING CITY ENGINEER WALLY GIRARD: Mr. Mayor, Councilmembers, good evening. The Water Master Plan is essentially that. It is a plan. Two words come to mind - it's a work in progress and it's a moving target. We have two objectives in updating our Water Master Plan and the first is to evaluate the effectiveness of our existing system and the other is to try and project the future needs of the growth of the City. And that is what we have done. The Plan was updated in 1987, in 1993, and in 1999 the City decided it was time

to review it again. Actually, in August of last year 2000, almost a year ago we had the plan that is before you now. But there has been a lot of changes, out especially in the southwest area and we've gone from General Plan concepts and plans to a little more specific plan. And this has all been part of it. We've also found another area where we had an existing problem in town, which is the Leland/Harbor area and decided that the low pressures in that area needed to be upgraded from a Zone 1 to a Zone 2. Finally, during the process there are certain guidelines that we always adhere to, but the Oakland Hills Fire, as you may recall occurred, and in fact I think the second anniversary was not too long ago. And once that occurred, there are two elements, again in supplying water one is to have a sufficient supply to meet the demand of use for the public. The second is a fire flow preservation and retention. The plan we have is a plan. The City's a little bit difficult in that our water treatment plant is quite a distance from many of the areas that are served and the areas that are served we have many different altitudes and zones. However, we have tried to accommodate those as best we can. The firm of Carollo Engineering has done the work for us and Mr. Tom Kauckman is here. And if you have any technical questions, either he or I would be glad to respond to them.

MAYOR QUESADA: Anybody want any questions of staff at this time? If not, we will open the public hearing. I do have one speaker card. At this time the public hearing is now open and we have Jay Torres-Muga who wishes to address the Council.

JAY TORRES-MUGA: Mayor Quesada and members of the Council,

good evening. Thank you, Jay Torres-Muga for the record representing the Seeno Company. Thank you for the opportunity of submitting our comments on the Water Master Plan. It is a very important document for the City. We have been waiting for about seven years for the publication of this document and it is very technical as opposed to the General Plan that as the name implies is more general. So, back in May of this year when we heard about this draft of the Water Master Plan we met with the City and the City's consultant, Carollo Engineers, and we submitted some comments, several comments at the time, and we expressed some concerns about some elements of the Water Master Plan. As a result of our meeting - you probably have in your packet - in July 10 this exhibit was produced which revises a number of elements on the Water Master Plan tables and figures and so forth. Most of the comments that we asked were made. Some others that were also important were not made. Recently, we got notice that the matter was going to be before you and we had other meetings with the City staff. This particular document, as I said, is going to be with us for a long time. There is people that are going to come to the City and pay their forty dollars to get this book, and we would like to have these revisions that were shown on this particular July exhibit, some of them incorporated into this particular book.

There is a number of inconsistencies within the book itself. They are not very numerous, but they're significant and they shouldn't be too difficult to correct. Since we waited on this time, we certainly would like you to ask staff to do those corrections to make it consistent, to have all the tables match, and so there will

be a document that will be a guide for builders in the area and they know what the rules are and what the standards are. We engaged a consultant, an engineering firm of Creegan + D'Angelo, and tonight with me is Tad Tobitt, who is going to address you in a few minutes and show you some of those inconsistencies. I realize that this is Friday evening so I'm not going to get too technical - we're not going to get too technical - but he's going to be submitting a letter to you in which a lot of these technicalities will be there for staff and the consultant to get from us. We're making our consultant available to your staff and your consultant, no charge to the City, and he will be able to sit down with them and try to clarify whatever issues are not clear in our letter or in our presentation tonight. With that, I would like to introduce Tad Tobitt to briefly address some of these inconsistencies, and again I would like to ask you at the conclusion of this meeting to continue the hearing and to direct staff to make these changes in this book. As I said, it is going to be with us for a long time and we would like to have a good start and do not create any confusions.

MAYOR QUESADA: Before you go, Jay, I want to go back to a historical time in 1974. We didn't have a Master Water Plan, yet we made a developer develop a water system to east of us and then in turn made him pay for it and everybody dipped their straw into it and didn't pay for it. So, our City's responsibility is the reason why we're going through the Master Water Plan at this time, so that every developer and everybody that has anything to do with the City of Pittsburg pays their fair share of the cost of

developing the water source to their project, whatever it might be.

So, it's going back in history, but it's what has happened in the past and we don't want to see that happen again. So that's why we're being consistent with it and I hope that all developers take that into consideration when we're talking about the Master Water Plan because it was very much inequities in the one that we did in 1974. And I could say I was a part of it. I'm sorry to say, but I was a part of it, and it did happen. And now we're going to make sure that does not repeat itself and everybody pays their fair share as they develop their project, whatever it might be.

JAY TORRES-MUGA: I think that's a very appropriate remark and I should remind you that not just back in 1977, but as recently as the Nineties, our company has built a number of facilities at our own cost and we certainly would like to have the protection that Mr. Mayor you are referring to. Thank you. Tad.

MAYOR QUESADA: Thank you, Jay.

WILLIAM (TAD) TOBITT: Good evening Mayor and Council people, I am Tad Tobitt, I am a Principal Engineer with Creegan + D'Angelo Engineers in Fairfield. A brief background, I have a Master's Degree in Hydraulic Engineering and have done water system studies for the last thirty years. Some of our work includes the entire City of Fairfield modeling and master plan documents like you're preparing here. I would like to begin by saying that this is a good report. It's very well done. It's clear. I think that you're doing the right thing in preparing the document. The comments I have are really just some inconsistencies that I think need to be addressed and I would like to just briefly touch on

those. I am not going to get into a lot of detail. I have a letter which I will give you. But to begin with, in the fire storage equation in the report it makes it very clear that fire storage should match the surface zones. For commercial/industrial that's .63 million gallons of fire storage and that's perfectly good and the equation is good that's in the report. It also says that for residential served systems, the fire storage should be .24 million gallons. That equation isn't in there and it's not clearly shown that there should be a second equation for residential tanks that serve just residential usages. Second comment is really just to a few inconsistencies. Without getting too detailed, the San Marco Zone IV reservoir is shown in various places at two and a half million gallons, three million gallons and two million gallons, so this needs to be looked at. The San Marco Zone III reservoir is shown at one and a half million gallons and at two million gallons and it's shown on different properties. The third area is - let's see if I can do this simply - the demand that's shown for the San Marco Zone IV system is 2.95 million gallons max day for the new Zone IV San Marco reservoir, .39 million gallons for the existing Oak Hills Zone IV reservoir. Together, those demands would actually serve, based on your standards, two thousand nine hundred dwelling units. In reality, looking at the actual number of units in the Zone IV system, the entire San Marco/Oak Hills area, the Zone IV system has about seventeen hundred and seventy units. That's about sixty percent of the demand that's being called out in the study. And that's in Table 4.2. The point being that some look has to be presented to the demands that are

used for the sizing for the reservoirs based on the reality of how many units are physically in those zones. The fourth area is actually related to the San Marco Zone IV tank. Based on your standards that you will be adopting in this with the 1.75 million-gallon existing Oak Hills reservoir, you can serve seventeen hundred and seventy five units. You are going to have less than that in the San Marco Zone IV system with Oak Hills. As a result, you don't really need that other storage for the sake of peak hour regulation, reserve and the fire flow, fire storage. A caveat to that is in the extension of the Zone IV system to the west and up at the higher elevations of the zone, it's a long way from the storage tank and there's probably some concern about obtaining fire flows at the residual pressure from the tank all the way over in Oak Hills. That can be accomplished by utilizing the fire storage in the Zone V San Marco reservoir and the pressure regulating valve that will open up in the event of a fire and balance the fire flow, actually providing you double the fire storage for the zone. That's a lot of complicated stuff. The bottom line is it needs to be looked at, I think, a little closer and we don't think that that reservoir is actually a necessity as part of the system. Fifth, the existing transmission main, the twenty inch line that's carrying water from the water treatment plant has a capacity of about eleven million gallons per day and that's plenty of water to serve the Seeno properties. One last thing, the figures show the Zone IV reservoir at Sky Ranch as being a million gallon reservoir.

Based on your standards that you are adopting, that would only have to be a half million-gallon reservoir. The bottom line is

these are issues which are significant in cost and need to be looked at to be consistent, and we urge that these things be looked at and when the report comes back, hopefully that this will be addressed. So without belaboring it, if you have questions, I would be happy to answer them but I'll give you copies of the ...

MAYOR QUESADA: Any questions at this time? If not, we have another speaker. Mr. Bill Glynn:

BILL GLYNN: Good evening Mayor Quesada, Members of the City Council, my purpose in appearing before you this evening as President of the Presidio Village Housing Incorporated, which is, in fact, the designated business entity for the new senior housing that's going to be built up in back of the Ford dealership up on Railroad, and also across from the Presbyterian Church and bordered by the American Legion Hall, is got a significant problem with regard to low water pressure in the area right now. On top of that, as you are aware, contiguous to that is the proposed Senior Center that is going to be constructed under the direction of the City of Pittsburg. My concern is we're already experiencing low water pressure for residential purposes in the area and the water pressure for fire purposes may very well be marginal as well. In addition, recently Seeno Construction has just completed the apartments which are on the south side of those project sites and additional water pressure has been provided through upgrades in the system there. So I would suggest very strongly that we take a look at the combined capacity needs of the Senior Center coupled with those of the new senior housing project together, both for fire purposes and general water profile consumption and incorporate that



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