

**MINUTES**  
**OF A REGULAR MEETING**  
**OF THE**  
**PITTSBURG PLANNING COMMISSION**

**January 12, 2010**

The Commission received a presentation from Laura Wright, Senior Administrative Analyst for the city's Public Works Department, on the recently completed Greenhouse Gas Inventory.

Following the presentation, the regular meeting of the Pittsburg Planning Commission was called to order by Chair Diokno at 7:20 p.m. on Tuesday, January 12, 2010, in the Council Chamber, City Hall, 65 Civic Avenue, Pittsburg, California following the above presentation.

**ROLL CALL**

Present: Commissioners, Wegerbauer, Fardella, Fogleman, Ohlson, Wirick, Kelley, and Chairperson Diokno

Absent: None

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

**PLEDGE OF ALLEGIANCE**

Darnell Turner led the Pledge of Allegiance.

**COMMENTS FROM THE AUDIENCE**

There were no comments from the audience.

**PRESENTATIONS**

There were no additional presentations.

**DELETIONS / WITHDRAWALS / CONTINUANCES**

There were no deletions, withdrawals or continuances.

## **CONSENT**

### **1. Meeting Minutes, December 8, 2009**

Commissioner Fardella moved that the minutes be pulled from the consent calendar. He felt they should have more details of what was said by the Commissioners at the meetings. It was requested by the Commissioners that staff add more commissioner comments to the December 8, 2009, meeting minutes and that the minutes be brought back at the next Planning Commission meeting for consideration of approval.

## **PUBLIC HEARING**

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### **Item 2: Modification of the Use Permit for Mt. Diablo Recycling Facility AP-09-654 (UP). (Continued from December 8, 2009)**

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This is an application by Dave Adler, on behalf of Mt. Diablo Recycling, requesting approval to modify an existing use permit for a large recycling facility in order to: 1) increase the maximum amount of recyclable material that can be accepted at the facility from 130 tons per day; 2) expand the number of employees from 50 to 80 people; and 3) expand the hours of operation from Monday through Friday, 8:00 a.m. to 5:00 p.m., to 24 hours a day, seven days a week. The proposed operational changes would not necessitate a physical expansion of the recycling facility, which is located at 1300 Loveridge Road, in the IG (General Industrial) District. APN 073-200-014.

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Associate Planner Leigha Schmidt presented the staff report dated January 12, 2010. She recommended the Commission adopt Resolution No. 9822, approving Use Permit Application No. 09-654 as presented and conditioned.

In response to Commissioner Fardella, Ms. Hoggatt explained that the increased tonnage and employees would result in increases in the business' revenues and thereby its local contribution to the local tax base, and other businesses' revenues through employee spending in local businesses. Commissioner Fardella also complimented city staff on the environmental analysis, though he believed that the increase in the number of truck trips was not minor as noted in the staff report.

Commissioner Wegerbauer inquired about the city's plans to maintain Loveridge Road, to which Mr. Sbranti explained that streets are maintained several times over a typical 20-year road life, and that the costs for maintenance of city roads would be distributed amongst the individual businesses in the area, based on the portion of the roadway used by the business and the number of vehicle trips associated with the business. He also clarified that the increase in truck trips associated with the proposed use permit amendment was minor relative to the total number of truck trips to Dow, USS Posco and other businesses in the project vicinity. Ms. Schmidt identified Condition No. 8 in the

proposed resolution, which addressed the fair share contribution for maintenance of Loveridge Road.

Commissioner Ohlson asked how the proposed increase in tonnage of recycling material transported in from other communities would affect the greenhouse gas and inquired whether it would be an advantage or disadvantage. Ms. Schmidt referenced the environmental analysis and explained that greenhouse gases as a result of the project were analyzed in the initial study and that it did not meet the guidelines to be a significant project. Increase in recycling is a benefit on a region wide level.

Commissioner Fardella referenced Condition Nos. 7 – 12 as addressing the financial concerns raised by Commissioner Wegerbauer.

Chair Diokno expressed concern that Loveridge Road was highly traveled by large trucks and may need to be maintained more frequently than once every five years.

### **PUBLIC HEARING OPENED**

The applicant, Dave Adler, and Gary Lazdowski, General Manager, Garaventa enterprises came forward to speak and answered the commissioner's questions.

Commissioner Fardella complimented the businesses' efforts toward increasing recycling, particularly of plastic materials. He questioned whether the applicants agreed to the conditions of approval, to which Mr. Adler said that they did.

Commissioner Diokno expressed concern about odors from the facility reaching as far as Costco in Antioch and inquired about what standards were used to analyze odor impacts, In response, which Ms. Schmidt explained that only one complaint had been filed with the Bay Area Air Quality Management District regarding odors, and the city's Code Enforcement Division had not received any complaints. She also confirmed with the applicants that other agency health and safety measures with which Garaventa must comply mandated odor controls that included indoor processing operations and limitations on storage time for recycled material.

No one else from the public came forward to speak.

### **PUBLIC HEARING CLOSED**

#### **MOTION:**

Commissioner Ohlson expressed his support of the project and moved to adopt Resolution No. 9822 as conditioned and recommended by staff. Commissioner Wegerbauer seconded the motion. The motion carried by vote of 7 to 0.

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**Item 3: Michael's Transportation Services. AP-09-643 (UP).**

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This is an application by Ronald Stauber on behalf of Michael's Transportation Services requesting approval of a use permit to allow commercial/personal transport services, including outdoor storage for seven school buses and a small dispatch office within the existing approximately 13,200 square foot commercial building, on a 1.03-acre commercial property located at 1416 Bobo Court, in the CS (Service Commercial) District. APN 088-570-009.

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Planning Manager Dana Hoggatt presented the staff report dated January 12, 2010. She recommended the Commission adopt Resolution No. 9825, approving Use Permit Application No. 09-643 as presented and conditioned.

Commissioner Fardella confirmed with staff that Condition No. 5 of the proposed resolution would prohibit on-site repair of buses. Ms. Hoggatt added that the applicants intended to maintain their buses at their main facility in Vallejo.

Commissioners Ohlson asked about the staff-recommended conditions prohibiting the washing of the school buses on the property. Ms. Hoggatt said these conditions were recommended in order to prevent soap, dirt, oil and other contaminants from the buses from running off of the property and into the storm drain and Kirker Creek.

**PUBLIC HEARING OPENED**

Sid Nicholas, General Manager for Michael's Transportation Services, Vallejo, came forward to speak on behalf of the applicant. He confirmed that mentioned washing buses is not permitted because it contaminates waterways and that they have a place in Vallejo where they bring their buses to be washed. In response to Commissioner Wegerbauer, he stated that they agreed to the staff-recommended conditions of approval. In response to Commissioner Fardella, who asked what school districts they represent, Mr. Nicholas said they serve clients from Sacramento all the way down the state.

There was no one else present in the audience who wished to speak on this item.

**PUBLIC HEARING CLOSED****MOTION:**

Commissioner Kelley moved to adopt Resolution No. 9825 and Commissioner Wirick seconded the motion. The vote carried by a vote of 7 to 0.

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**Item 4: Los Medanos Community Healthcare District Garden. AP-09-632 (UP, DR).**

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This is an application by Marilyn Condit, on behalf of the Los Medanos Community Healthcare District, for use permit and design review approval to install a publicly-accessible community garden on a portion of Los Medanos Community Healthcare District property that is located along East Leland Road and adjacent to the Pittsburg

Health Center. The approximately 0.6-acre fruit and vegetable garden would include a deck, raised planters and a parking lot and would be located at 2311 Loveridge Road, in the CO (Office Commercial) District. APN 088-161-028.

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Associate Planner Leigha Schmidt presented the staff report dated January 12, 2010. She recommended the Commission adopt Resolution No. 9826, approving Use Permit Application No. 09-632 as conditioned.

In response to Commissioner Wirick, Mr. Sbranti explained that decomposed granite is a tan colored material with a texture similar to the cinder used on the in-field of a baseball diamond. He added that it was often used in landscaped places as pathways.

Commissioner Fardella explained that he had looked at aerial photos of the site and believed it to be a good location for a garden because it had good sun exposure and was underutilized. He believed that there was a need for community gardens in difficult economic times and added that he himself gardened for leisure. He noted that in his experience gardening in his backyard, he had had to kill rats and believed that the location near the Los Medanos College lagoon would lead to similar rodent problems. He also expressed concern that soil and pesticides would run off of the property into the storm drain. In response, Ms. Schmidt explained that there would be no pesticides used, as the garden would be totally organic, and she identified a wide landscaped area, between the garden and the nearby public sidewalk and storm drain inlet, that would reduce the potential for runoff from garden watering.

Chair Diokno asked about the availability of public restrooms.

## **PUBLIC HEARING OPENED**

The applicant, Marilyn Condit, Bobbi Palmer, and Darnell Turner, were present and answered the Commissioners' questions regarding the project, including issues regarding public restrooms. Ms. Condit expressed some concern about providing restrooms because of potential security problems they might create. She said that there were plenty of public places to use restrooms in the area. Mr. Turner noted they also had facilities in the portion of the building that the district members occupy. They could open up their facilities when they have these sponsored events. Ms. Condit also said they were committed to keeping the site beautiful with use of native plants.

Commissioner Ohlson noted that other community gardens at the Ambrose Community Center in Bay Point and at Small World Park in Pittsburg did not have any public restrooms. Ms. Condit added that installation of a restroom would be cost prohibitive.

Commissioner Fardella stated that he fully supports community gardening but did not believe that a restroom was necessary. He also confirmed with the applicant that they agreed to the recommended conditions of approval.

Commissioner Diokno asked who would be working in the garden. Ms. Condit said everyone in the community would be welcome to come there and garden.

Commissioner Kelley asked the applicants if they would be receptive to addition of a condition that formalized Mr. Turner's statement about making the board restrooms available during sponsored events. The applicants indicated that they would not object to such a condition.

Jane Wirth, a Pittsburg resident and member of the Contra Costa Master Gardener's program, praised the project and expressed support of the proposal. She said both she and her husband Craig were available to offer any help and support that the Los Medanos Healthcare District Community Garden might need.

There were no other speakers from the audience.

## **PUBLIC HEARING CLOSED**

### **MOTION:**

Commissioner Ohlson moved to adopt Resolution No. 9826 as recommended by staff. Commissioner Wirick seconded the motion. Commissioner Kelley requested that the motion be amended to add a condition requiring that LMCHD restrooms be made available to the public during events and that signage be used to direct the public to those restrooms during the events. Commissioners Ohlson and Wirick agreed to the amendment. The motion carried by a vote of 7 to 0.

### **COMMISSION CONSIDERATIONS**

There were no Commission Considerations.

### **ZONING ADMINISTRATOR REPORTS**

#### **7. Notice of Intent to Exercise Delegated Design Review Authority and Submittal of Adopted Zoning Administrator Resolutions.**

Notice of Intent: La Marina Laundromat, AP-09-659 (AD)

Notice of Intent: Plaza Marina Monument Sign, AP-09-661 (AD)

Notice of Intent: Reese's Smog Shop, AP-10-663 (AD)

Zoning Administrator Resolution No. 132, 133, 134, 135

#### **8. Notice of Intent to Conduct a Zoning Administrator Public Hearing:**

eBART Equipment Shed Fence Exception, AP-10-662 (FE)

The Commission acknowledged receipt of all the Zoning Administrator Notice of Intent and Resolutions as stated above.

## **STAFF COMMUNICATIONS**

Ms. Hoggatt reported that there were two items she wanted to report. First, there were no items scheduled for the second regular meeting in January. She requested that the Commission adjourn to the next regular meeting of February 9, 2010.

Also, Ms. Hoggatt discussed the League of California Cities' Planners' Institute that would be held soon in Monterey. The city would not be able to fund the commissioners' attendance due to the budget constraints, although interested commissioners could attend on their own. Ms. Hoggatt said she would forward via email to the commissioners the flyer with the information.

## **COMMITTEE REPORTS**

Mr. Ohlson said that Transplan would be holding its first meeting in four months and that he would be attending.

## **PLANNING COMMISSIONERS' COMMENTS**

Commissioner Wegerbauer informed the Commission about an upcoming light rail presentation that would be made to Transplan.

Commissioner Fardella mentioned Dr. Richard Nichols' retirement from his position as superintendent of the Mt. Diablo Unified School District. He also mentioned that he was participating in organizing the next Challenger Baseball Jamboree in Mexico.

Commissioner Ohlson requested that Redevelopment Agency staff look into acquiring some foreclosed properties on Harbor Street, in the Central Addition.

Commissioner Wirick stated he would be not be attending the next couple of Planning Commission meetings, as he would be out of the country on his annual trip to Viet Nam. He would be back for the first meeting in March.

Commissioner Diokno reported that he had attended the opening of the new Fire Station 85 on Loveridge Road.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:06 p.m. to the next Planning Commission Meeting on February 9, 2010, at 7:00 p.m. in the City Council Chamber at 65 Civic Avenue, Pittsburg, CA.

*Dana Hoggatt*

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Dana Hoggatt, Secretary  
Pittsburg Planning Commission