

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

April 28, 2020

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the regular meeting of the Planning Commission for April 28, 2020 was conducted telephonically through Zoom with broadcasting live through Granicus on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber was not open for the meeting. Council Members participated telephonically or through Zoom and were not physically present in the Council Chamber.

Chair Foster called the meeting of the Pittsburg Planning Commission to order at 7:00 p.m. on Tuesday, April 28, 2020, in the Council Chamber at City Hall, 65 Civic Avenue, Pittsburg, California via Zoom teleconference.

ROLL CALL

Present: Chair Foster, Vice-Chair Moreno, Commissioners Nguyen, Croskey, Coniglio, Bhasin, Robinson

Staff: Community Development Director Jill Hecht, City Engineer Richard Abono, Planning Manager/ Secretary Kristin Pollot, Senior Planner Hector Rojas, Associate Planner Trishia Caguiat, Assistant Planner John Dacey, Senior Civil Engineer Paul Reinders, Deputy City Clerk Amanda McVey, Administrative Coordinator Shelby Rose

PLEDGE OF ALLEGIANCE

Commissioner Moreno led the Pledge of Allegiance.

DELETIONS / WITHDRAWALS / CONTINUANCES

There were no deletions, withdrawals, or continuances.

COMMENTS FROM THE AUDIENCE

There were no comments from the audience.

CONSENT

Commissioner Croskey asked that Items 2 and 3 be pulled from the Consent Calendar for discussion.

1. Minutes of April 14, 2020

On motion by Commissioner Coniglio and seconded by Commissioner Robinson to approve the Minutes of April 14, 2020 and carried by the following vote:

AYES: Bhasin, Coniglio, Croskey, Moreno, Nguyen, Robinson, Foster
NAYES: None
ABSTAIN: None
ABSENT: None

2. Request to Initiate a Study to Amend Title 18 of the Pittsburgh Municipal Code as it Relates to Recreational and Commercial Vehicle Storage in Residential Districts

A City-initiated proposal to consider potential amendments to Title 18 of the Pittsburgh Municipal Code (PMC) to revise the screening requirements for recreational vehicles (RVs) and clarify regulations for commercial vehicles in association with a home occupation permit.

On motion by Commissioner Robinson and seconded by Commissioner Bhasin to approve and carried by the following vote:

AYES: Bhasin, Coniglio, Moreno, Nguyen, Robinson, Foster
NAYES: Croskey
ABSTAIN: None
ABSENT: None

3. Request to Initiate a Study to Amend Title 18 of the Pittsburgh Municipal Code as it Relates to Accessory Dwelling Units and Junior Accessory Dwelling Units

A City-initiated proposal to consider potential amendments to Title 18 of the Pittsburgh Municipal Code (PMC) to revise the existing "Accessory Dwelling Units" Standards. There would also be additional amendments to Title 15, Buildings and Construction, to address regulatory changes to impact fees in order to comply with state law.

On motion by Commissioner Robinson and seconded by Commissioner Nguyen to approve and carried by the following vote:

AYES: Bhasin, Coniglio, Croskey, Moreno, Nguyen, Robinson, Foster
NAYES: None
ABSTAIN: None
ABSENT: None

COMMISSION CONSIDERATION

4. The Atchison Mixed-Use Development, AP-20-1490 (DR)

A public meeting on a request for design review approval to construct a mixed-use, transit-oriented development with 202 mixed-income, affordable apartment units and 13,659 square feet of commercial space on a 3.94-acre site located at 2575 Railroad Avenue in the Community Commercial (CC) District. APN 088-184-006.

Senior Planner Rojas gave a presentation on the item.

Applicants Jake Lingo, Ben Lingo, and Ryan Yanagita spoke on behalf of their project.

Comments were received through email from the following and were read aloud:

Mark Linde, Pittsburg
Joanne Fanucchi, Pittsburg
William Goodwin
Bruce Ohlson, Pittsburg
Ramona Johnson

On motion by Commissioner Moreno with 3 conditions, 1) minimum space one designated parking space per residential unit, 2) minimum vanilla shell for commercial tenant spaces, and 3) add median fence along Railroad Avenue project frontage if deemed necessary by the City's Traffic Engineer, and seconded by Commissioner Nguyen to approve and carried by the following vote:

AYES: Bhasin, Moreno, Nguyen, Robinson, Foster
NAYES: Coniglio, Croskey
ABSTAIN: None
ABSENT: None

PUBLIC HEARINGS

5. Envent Corporation, AP-19-1474 (UP)

A public hearing on a request for approval of a use permit to establish a contractor yard on a 1.95-acre portion of a 26-acre parcel, located at 1101 Loveridge Road, within the IG (General Industrial) District. APN 073-230-031.

Assistant Planner Dacey gave a presentation on the item.

Chair Foster opened the public hearing.

Applicant Adrien Abundes spoke on behalf of his application.

There being no one to speak further to the item, Chair Foster closed the public hearing.

On motion by Commissioner Croskey seconded by Commissioner Coniglio to approve and carried by the following vote:

AYES: Bhasin, Coniglio, Croskey, Moreno, Nguyen, Robinson, Foster
NAYES: None
ABSTAIN: None
ABSENT: None

6. Dos Cuñados Market Use Permit Modification, AP-20-1500 (UP)

Commissioner Croskey recused himself from Item 6 stating a conflict of interest due to the applicant being a tenant of a property he manages. At this time, Commissioner

Croskey was placed in a waiting room within Zoom where he could not hear or participate in the meeting.

A public hearing on a request for approval of modification to Condition No. 5(b) of an approved use permit, Planning Commission Resolution No. 10112, in order to allow the sale of 200ml containers of distilled spirits at an existing convenience store for off-site consumption. The convenience store is located at 3105 Railroad Avenue, Suite A-1, in the CN (Neighborhood Commercial) District. APN 088-065-026.

Assistant Planner Dacey gave a presentation on the item.

Lieutenant Semas, Pittsburg Police Department, provided information to the commission based on police records.

Chair Foster opened the public hearing. Applicant Amen Saleh spoke on behalf of his business.

Comments were received through email from the following and were read aloud:

William Goodwin
Bruce Ohlson, Pittsburg

There being no one to speak further to the item, Chair Foster closed the public hearing.

On motion by Commissioner Robinson seconded by Commissioner Bhasin to approve and failed by the following vote:

AYES: Bhasin, Nguyen, Robinson
NAYES: Coniglio, Moreno, Foster
ABSTAIN: None
ABSENT: Croskey [Recused]

On motion by Commissioner Moreno to continue to a date uncertain to allow further data on the reason for the original recommendation, seconded by Commissioner Bhasin to approve and carried by the following vote:

AYES: Bhasin, Moreno Robinson, Foster
NAYES: Coniglio, Nguyen
ABSTAIN: None
ABSENT: Croskey [Recused]

At this time Commissioner Croskey was brought back into the Zoom meeting.

7. Recommendation on Amendments to Pittsburg Municipal Code Title 18.84, Article VII, "Landscaping, Irrigation and Hydroseeding"

A public hearing on a City-initiated proposal to consider a recommendation on amendments to Title 18 of the Pittsburg Municipal Code (PMC) to revise the existing Water Efficient Landscape Standards in order to comply with State law. Pursuant to the State Government Code, all California cities and counties are required to adopt the Model Water Efficient Landscaping Ordinance (MWELo), or local regulation which are at least effective in conserving water as the MWELo.

Associate Planner Caguiat gave a presentation on the item.

Chair Foster opened the public hearing.

There being no one to speak further to the item, Chair Foster closed the public hearing.

On motion by Commissioner Robinson seconded by Commissioner Coniglio to approve and carried by the following vote:

AYES: Bhasin, Coniglio, Croskey, Nguyen, Robinson, Foster
NAYES: Moreno
ABSTAIN: None
ABSENT: None

STAFF COMMUNICATIONS

Planning Manager / Secretary Pollot suggested the Commission convene to next regular meeting of May 12, 2020.

COMMITTEE REPORTS / COMMISSIONER COMMENTS

Chair Foster updated committee assignments as follows:

Pittsburg Recognition Committee: *Main –Bhasin, Alternate – Nguyen*

Transplan Subcommittee: *Main - Foster, Alternate – Coniglio*

Land Use Subcommittee: *Main – Robinson/ Moreno, Alternate Foster/Croskey*

ADJOURNMENT

The meeting was adjourned at 11:42 p.m. to May 12, 2020.

Respectfully Submitted,



Kristin Pollot, AICP, Secretary

Atchison Development

Bruce Ole Ohlson [bruceoleohlson@hotmail.com]

Sent: Tuesday, April 28, 2020 7:27 PM**To:** meetingcomments

External Sender: Use caution before opening links or attachments

Pittsburg Planning Commission:

I am Bruce Ohlson, a resident of Pittsburg.

I have two requests for this development

- require that at least half of the entire number of parking places provide power for the charging of Electrical Vehicles.
- Provide a connection between the east side of the Delta de Anza Trail and the existing marked shoulder on the northbound side of Railroad Avenue
- The sidewalk that fronts Railroad Avenue must be at least 10 feet wide.

Perhaps the last two comments could be combined. This request is made with knowledge of the planned construction of the path on the west side of Railroad Avenue. (Bicycles are legal on public streets without regard to the provision of paths across the street.

Thank you

~Ole

Bruce "Ole" Ohlson

Bike East Bay

Delta Pedalers Bicycle Club

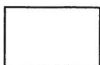
Contra Costa Countywide Bicycle Advisory Committee

CCTA Bicycle & Pedestrian Advisory Committee

Caltrans District 4 Bicycle Advisory Committee TRANSPLAN appointee to Highway 4

Integrated Corridor Management Study

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Get rid of the palm trees

Bruce Ole Ohlson [bruceoleohlson@hotmail.com]

Sent: Tuesday, April 28, 2020 7:53 PM**To:** meetingcomments

External Sender: Use caution before opening links or attachments

Planning Commission,

I am Bruce Ohlson, resident of Pittsburg.

If the department of the City that will have to maintain the landscaping does not want palm trees, please believe them. Get rid of the existing palm trees. Don't plant more! It costs too much of our City's limited financial ability to maintain them.

Thank you for permitting this comment.

~Ole

Bruce "Ole" Ohlson

Bike East Bay

Delta Pedalers Bicycle Club

Contra Costa Countywide Bicycle Advisory Committee

CCTA Bicycle & Pedestrian Advisory Committee

Caltrans District 4 Bicycle Advisory Committee

TRANSPLAN appointee to Highway 4 Integrated Corridor Management Study

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- Sports and Injury Center •
- Rehabilitation Facilities on Premises •

QME - State Appointed Qualified Medical Examiner
 IDE - Board Certified Industrial Disability Evaluator
 EDD - Employment Development Dept. Examiner

Public meeting 4-28-2020 (7pm)

To: Pittsburg Planning Commission (Public Hearing on Friday April 28, 2020).
 Attention: Mr. Hector J. Rojas et al (Planning Project Manager)
 65 Civic Drive, Pittsburg, Ca. 94565
 (925) 252-4043 or email hrojas@pcl.us

Re : Atchison AP-20-DR development
 (202 low income Apartment Complex housing with 20 business suites)
 2575 Railroad Ave. Pittsburg, Ca. 94565

Dear Mr. Hector J. Rojas and City of Pittsburg:

Thank you for your recent letter I received by mail on Wednesday April 22, 2020 regarding the proposed project for (202) two hundred and two low income housing apartments with (20) twenty business suites located at 2575 Railroad Avenue. The notice was sent so that long time Pittsburg businesses have the time and opportunity to express concerns with regard to this project.

It has recently been brought to my attention that the City of Pittsburg has authorized the development of this 202-unit low income housing apartment complex structure with an adjoining 20-unit business suite right next door to my medical offices. This location was the prior Diablo Ford Dealership owned and operated by Michael Moore.

To my surprise, I received a phone call from Mr. Jake Lingo (a representative from the construction co.) who called my office on two (2) separate instances and spoke to myself last month as well as my wife last week asking us to allow this already approved project to utilize our in/out driveway (Easement) for their future project. When asking Mr. Lingo why, he stated that this was for their future residents, businesses and construction workers to gain access to their property more easily. When I asked Mr. Lingo if it was for temporary or permanent access, he said it was for permanent use. He said it would be needed for better in/out access for his renters and businesses. I politely told Mr. Lingo that I needed to see the plans/proposal before I could answer any of his questions.

Mr. Lingo then called back after 2-3 weeks and spoke with my wife (Sharon) asking her similar questions. When she asked him where his plans are, he e-mailed them with an artist conception of what the project would look like. Mr. Lingo made it very clear during his second conversation that this project was going through regardless of us agreeing to anything and had already been approved by the City of Pittsburg planning dept and it was going through with or without our easement access.

My office has been serving the City of Pittsburgh since 1986 (over 32 years). Our office has treated over 22,450 patients, and as result, we have treated 1/3 of the City of Pittsburgh's 60,000 residents. We have faithfully served this community with medical treatment by way of local high school physicals, physical medicine, Federal DOT physicals for class 1 drivers, X Rays, Drug testing of employees for the City of Pittsburgh businesses, QME's, treatment of injured workers and as of recently, taking over patient hospital over flow of injuries during this COVID-19 pandemic crisis.

Here is a list of my concerns regarding the City of Pittsburgh's newly planned Railroad Ave. project of 202 low income housing apartments with 20 unit business suites located right next door to my medical office, and these are in no way limited to the following:

1. The extra Cars, passenger vehicles, & construction vehicles and trucks taking valuable patient & 10 employee parking spots (Unacceptable) during and after this project is completed.
2. The noise pollution of road, truck, compressor & overall daily construction hammering noise (detrimental to staff and patients)
3. The trash and debris blown over daily from the construction site on a daily basis, let alone the extra amount on a windy day (as you are already aware the City of Pittsburgh gets very windy at times)
4. The vandalism that could occur from the residents (and guests) from the 202-unit housing project right next door to a doctor's office. (Self Explanatory)
5. The Cost of repainting my office building when construction ends (Self Explanatory)
6. The cost of Air Scrubbers to clean all the air vents, air conditioning ducts and (2) two 10-ton HVAC units on the roof from dust, dirt and flying debris (Self Explanatory)
7. Major increase of road congestion with over 20,000 (20 thousand) vehicles per day already traveling down Railroad Ave. this project will undoubtedly put a strain on getting in to and out of my office with further back up due to the 202 residents next door to my building. (Patients & employees unable to get in or out of my parking lot)
8. Traffic backs up each day on Railroad Ave. due to daily commuters, school, BART and many other businesses on Railroad Ave already creating a traffic nightmare at various points throughout the day. This project with the kind of traffic density demanded will just add to an already nightmarish situation on Railroad Ave. with no practical means of mitigation.
9. *In addition, a traffic light exists directly in front of my office (E/W Leland Ave. and Railroad Ave. stop light) which will cause exiting heavy traffic nightmares. This will directly affect my office and its ability to treat my patients as they try to enter and exit and the loss of patient base would be substantial!*
10. They also are seeking retail & business office space where there is already a glut on the Pittsburgh market. There is little or no market for professional office space with several buildings for lease or sale now and many retail centers throughout the community have many vacant spaces.

As you can clearly see, with the proposed construction, environmental pollution, noise pollution, littering, loitering, vandalism, serious traffic congestion, damage to my building with construction for several months, and monetary losses due to patients frustration in getting to and from the building, we remain in opposition to this proposed project. If the builder is willing to sit down and have a reasonable discussion, I would be willing to entertain any and all suggestions to help mitigate these concerns.

Very Truly Yours,

Gerald E. Oranje DC, QME – President

X  ...

Sharon E. Oranje – Secretary.

X 

The Atchison Mixed-Use Development, AP-20-1490 (DR)

Joanne Fanucchi [jfanucchi9@gmail.com]

Sent: Tuesday, April 28, 2020 3:15 PM**To:** meetingcomments

External Sender: Use caution before opening links or attachments

Good evening,

I live very close to the area that you're looking to develop. In light of the worldwide economic correction going on, Pittsburgh will be impacted in ways we never thought of. This project is reminiscent of 1980's design plans with no imagination or creativity to offset the impacts of the density in the area, to conserve natural resources, or to think outside the boxes that these resemble.

If I could envision this project I would say this: the rents would be lower (so much more to say about this, so little time), the pool and hot tub would be replaced by a community farm. It's a much better use of Water. . I know about Family Harvest Farm, but we're going to need more than one local organic grower to feed everyone in the coming years. Fruit trees all over, around existing trees. No trees should be ripped out. Do not plant lawns. It's the 21st century and we're running out of resources.

On the ground floor, I would see a decentralized community crisis and resource center, an Alternative medical center and a European Western medical one, an organic food store, NO junk stores. NO more fast food.

The construction materials would include a huge amount of hemp. Hire an architect who has worked with alternative materials. Grow your own Hemp. Invest in renewables. Developers must be economically corrected along with the rest of us. Yes, hemp is more expensive. Deal with it, capitalists.

I categorically disagree with the statement that traffic would not be impacted, therefore making it exempt from CEQA standards (page 11-summary). 263 parking spaces proves that. The traffic on Railroad is infuriating now so I won't waste my time explaining something you already know but refuse to acknowledge. Railroad can't handle any more traffic.

Reducing units' storage to zero and one set of washers and dryers for every 10 units is unacceptable. You'll be packing people in like they're sardines. It will be impossible to maintain harmony among tenants. I lived in apartments for years; inadequate laundry services, pools and hot tubs have never worked, the latter two being petri dishes for bacteria and other particle contaminants. It's an old idea that needs to be shelved.

I understand and support the need for more very low and low income housing but higher income? It's 1 block away from one of the most crime-ridden areas in town. There are no decent general grocery stores nearby unless you DRIVE. You'll be creating another housing project where people are so tired from working and commuting that they won't become involved in making Pittsburgh a better place, much like the majority of residents here now.

Please don't approve this project without considering the seriousness of these comments, which can be read in under 3 minutes. This plan should not go forward as it stands.

Thank you.

Joanne Fanucchi, MS.TCM, L.Ac.

For public comment Item 4

mark linde [mrkemlylinde@att.net]

Sent: Tuesday, April 28, 2020 1:30 PM**To:** meetingcomments; Hector Rojas; Amanda McVey; Garrett Evans; Kristin Pollot****External Sender: Use caution before opening links or attachments****

Good evening Commissioners.

I'm writing in this evening in regards to item 4 a mixed use development on Railroad Ave.

After a few emails to city staff I was extremely saddened to hear we currently have 4,800 people on the section 8 housing list and the last time the list was opened 14,000 residents applied, thats 4,800 people who qualify for housing but are waiting 4,800 people who can become homeless at any given time.

I would like to ask the commission to include the following.

- 1) 50 units be set aside for section 8 only
- 2) Keeping the required laundry facilities at one washer dryer set per 5 units
- 3) That they require the developer to set aside a storage facility for the residents
On site
- 4) That the building set back be increased
to allow a entrance/exit area that doesn't
Interfere with normal drive by traffic.
- 5) That 50 units be set as medium income.
As we are still short of the mandate of 100
but would be over the low income compliance as we only lack 27
low income units.

In closing if the developer truly wants to help the city and it's residents he would have no second thoughts of making the above changes.

Thank You
Mark Linde
Sent from my iPhone

Ramona Johnson [monajohnson61@yahoo.com]

Sent: Tuesday, April 28, 2020 8:03 PM

To: meetingcomments

****External Sender: Use caution before opening links or attachments****

I am opposed to this project.

I want to see traffic and noise studies.

Sent from Yahoo Mail on Android

Agenda Item Number 4- Atchinson Mixed Use Project

william goodwin [goodwin.will@hotmail.com]

Sent: Tuesday, April 28, 2020 6:11 PM

To: meetingcomments

****External Sender: Use caution before opening links or attachments****

I have 2 questions.

1. What is the proposed rental amounts for the "Moderate" Rent Apartment Units
2. Are there any units allocated for Senior Housing ?

Dos Cunados Market use permit modification

Bruce Ole Ohlson [bruceoleohlson@hotmail.com]

Sent: Tuesday, April 28, 2020 9:34 PM**To:** meetingcomments

External Sender: Use caution before opening links or attachments

Planning Commissioners,

I am Bruce Ohlson, a resident of Pittsburg.

There is absolutely NO need for modifying the conditions of the use permit for this convenience store. We have enough alcohol available for sale within our City. This store currently sells alcohol. They want to change their permit to be allowed to sell small bottles of hard liquor. 200 milliliters is tiny. It is a single-use dose. Addicts will take advantage of this size being available at this store. There is no defensible reason to encourage this behavior.

Please deny this application.

Thank you for your consideration.

Bruce Ohlson

Bike East Bay

Delta Pedalers Bicycle Club

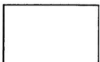
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Caltrans District 4 Bicycle Advisory Committee

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Agenda Item # 6- Dos Cunados Market Permit Use Modification

william goodwin [goodwin.will@hotmail.com]

Sent: Tuesday, April 28, 2020 6:16 PM

To: meetingcomments

****External Sender: Use caution before opening links or attachments****

I have 1 Question.

Am I correct in noting that this permit modification would place a forth market in a four block radius selling alcohol? This one next to a vape shop, which is bound to attract young adults?