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**MINUTES OF THE REGULAR
PINOLE PLANNING COMMISSION**

January 23, 2017

A. CALL TO ORDER: 7:02 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Brooks, Hartley, Martinez-Rubin, Thompson, Wong,
Chair Kurrent

Commissioners Absent: Tave

Staff Present: Winston Rhodes, Planning Manager

C. CITIZENS TO BE HEARD:

There were no citizens to be heard.

D. CONSENT CALENDAR:

1. Planning Commission Meeting Minutes from December 12, 2016

MOTION to approve the Planning Commission Meeting Minutes from December 12, 2016, as submitted.

MOTION: Thompson

SECONDED: Brooks

APPROVED: 5-0-1-1

ABSTAIN: Hartley

ABSENT: Tave

E. PUBLIC HEARINGS:

1. **Conditional Use Permit 16-08: Maria's Daycare**

This item has been continued to February 27, 2017

Request: Consideration of a use permit request to expand the day care capacity of an existing small family day care home for up to 8 children to a large family day care home for up to 14 children within an approximately 2,234 square foot single-family residence.

Applicant: Maria Magana
1191 Marlesta Road

1 Pinole, CA 94564

2
3 **Location:** 1191 Marlesta Road, APN 402-133-009

4
5 **Project Staff:** Winston Rhodes, Planning Manager

6
7 Planning Manager Winston Rhodes reported that there were some outstanding
8 code enforcement issues with the property and staff hoped those issues would be
9 resolved by the next Planning Commission meeting. If not, the item may be
10 continued to a date to be determined.

11
12 **2. Design Review 16-23 and Conditional Use Permit 16-06: Happy Ramen**
13 **Restaurant with Alcohol Sales**

14
15 **This item had been continued to February 27, 2017**

16
17 **Request:** Consideration of design review request to modify an
18 existing approximately 2,584 square foot commercial
19 building for a restaurant including a use permit request
20 to sell beer and wine within the restaurant for on-site
21 consumption.

22
23 **Applicant:** Richard Brunelle
24 1552 167th Avenue
25 San Leandro, CA 94578

26
27 **Location:** 1907 San Pablo Avenue, APN 401-112-029

28
29 **Project Staff:** Winston Rhodes, Planning Manager

30
31 Mr. Rhodes stated the item would be continued to the Planning Commission
32 meeting of February 27 2017, also due to code enforcement violations and
33 additional information required for completeness review. Staff hoped to have more
34 information at the February 27, 2017 Planning Commission meeting.

35
36 **3. Conditional Use Permit 16-09 and Design Review 16-33: Pinole Vista**
37 **Plaza Shopping Center Sign Program and Design Modifications**

38
39 **Request:** Consideration of a use permit request to amend an
40 existing sign program including allowing additional on-
41 building signage and consideration of a design review
42 request to modify the existing signage and the building
43 façade of the grocery store within the Pinole Vista
44 Plaza Shopping Center.

1 **Applicants:** Hagman Associates
2 1153 Castle Way
3 Menlo Park, CA 04025
4

5 **Location:** 1530 Fitzgerald Drive, APN 426-391-007
6

7 **Project Staff:** Winston Rhodes, Planning Manager
8

9 Mr. Rhodes presented the staff report dated January 23, 2017, and clarified the
10 applicant had submitted revised information and would like the accessory signage
11 for Lucky Market to be a red color, with copies of the change provided to the
12 Planning Commission at the dais.
13

14 Mr. Rhodes recommended the Planning Commission adopt Resolution 17-01,
15 (Sign Program Use Permit Amendment) approving the sign program amendment
16 with conditions, and adopt Resolution 17-02 (Design Review) approving the Lucky
17 Market façade modifications with project conditions.
18

19 Responding to the Commission, Mr. Rhodes clarified the City's bicycle parking
20 ratio pursuant to the Pinole Municipal Code (PMC) require four bicycle parking
21 spaces in this case; the applicant would be allowed to have bicycle parking in the
22 interior and exterior; staff had received no request from the applicant to move
23 forward with new monument or pylon signage, although by initiating the design
24 improvements in 2013 the applicant activated that design approval and the
25 applicant would have to move forward with what had been previously been
26 approved. The information provided to the Planning Commission had shown
27 Lucky being added to the Sign Program.
28

29 In terms of ownership, the in-line stores on either side of Lucky were owned by
30 Retail Property Investment Corporation (ROIC) as was the Kmart pad and
31 Starbucks. Goodyear Tires and the fast food restaurants directly fronting
32 Fitzgerald Drive and Dollar Store were located on property that was not owned by
33 ROIC. Over time as those businesses upgraded signage, the City would
34 encourage those businesses to amend the Sign Program to have compatible
35 signage. The shopping center was owned by multiple parties, and the City could
36 not require other property owners not submitting an application to sign onto the
37 Sign Program. In the course of discussions of other items of mutual concern, the
38 property owner would approach the other properties to determine whether they
39 were interested in joining the Sign Program, although Kentucky Fried Chicken
40 (KFC) was the only tenant interested in making exterior modifications although
41 they were not reflected in the Sign Program.
42

43
44 Mr. Rhodes also understood the applicant had installed bicycle parking elsewhere
45 in the shopping center. A condition for bicycle parking had been included since

1 Lucky, as the anchor tenant, had not been part of the prior Pinole Plaza façade
2 renovation design review request. The City did not have the same requirements, if
3 any, for bicycle parking at that time the Lucky's Market was built.
4

5 PUBLIC HEARING OPENED
6

7 ROGER HAGMAN, 1153 Castle Way, Menlo Park, stated ROIC, the property
8 owner, was in agreement with the conditions of approval recommended by the
9 City. The proposal was a commitment by ROIC to ensure the anchor tenant space
10 was in good shape and would attract other tenants to the shopping center.
11

12 SHAWN WEST, JSJ Electrical Display, had developed the Master Sign Program
13 (MSP) for the Pinole Vista Plaza Shopping Center in 2012. He clarified the
14 removal of existing letter sets for Lucky which were red in color, and explained that
15 once renovations were complete the existing red letters would be reinstalled,
16 distributed, and spread out on the building elevation. He also clarified the
17 parameters of the MSP allowed a future grocery tenant should Lucky move out, to
18 be permitted a stacked layout within the allowed square footage on the fascia of
19 the sign.
20

21 Mr. Rhodes added that the Sign Program allowed for two sets of text and enabled
22 flexibility to organize the sign area in various ways.
23

24 PUBLIC HEARING CLOSED
25

26 The Planning Commission recommended an additional condition that *Any signs*
27 *that were not properly maintained, burned out, or broken would be replaced*
28 *within 72 hours.*
29

30 Mr. Rhodes clarified the City regulated damaged or non-functioning signage, and
31 it was in the interest of the property owner and the tenant to ensure the signs
32 were visible. Property owners/tenants were usually responsive when informed of
33 any damaged or burned out signage, although he recognized some repair work
34 could take longer than 72 hours.
35

36 It was recommended that the Conditions of Approval for Resolution 17-01 be
37 amended to include a new Condition 7 (a) to read:
38

39 *Any damaged or inoperable signage repairs shall commence within 72*
40 *hours upon notification by the City of Pinole.*
41

42 Mr. West commented that service orders for light bulbs, as an example, could be
43 done within three to four days although major repairs could take up to two
44 months. He recommended that the time for repair be flexible and be considered
45 on a case-by-case basis.

1
2 **MOTION** to adopt Planning Commission Resolutions No. 17-01 and 17-02.
3 Resolution 17-01 of the Planning Commission of the City of Pinole approving the
4 Conditional Use Permit Amendment Request to modify the Sign Program and
5 Guidelines for the Pinole Vista Plaza Shopping Center (CUP 16-09) by adding
6 the Market Building at 1530 Fitzgerald Drive (APN 426-391-007). A new
7 condition of approval is to be added to Resolution 17-01, with the precise
8 language to be determined by staff with the intent that initiation of necessary
9 repairs of any damaged or inoperable signage shall commence within 72 hours
10 of notification by the City of Pinole. Resolution 17-02 of the Planning
11 Commission of the City of Pinole approving a Design Review Request for New
12 Signage and Exterior Building Façade Modifications for the Market Building at
13 1530 Fitzgerald Drive.

14
15 **MOTION:** Hartley

SECONDED: Thompson

APPROVED: 6-0-1

ABSENT: Tave

16
17
18 **F. OLD BUSINESS:** None

19
20 **G. NEW BUSINESS:**

21
22 **1. Formation of Accessory Dwelling Unit Text Amendments**
23 **Subcommittee**

24
25 Mr. Rhodes presented the staff report dated January 23, 2017, and asked the
26 Planning Commission to consider the appointment of two Planning Commissioners
27 to serve on the Accessory Dwelling Unit Text Amendments Subcommittee.

28
29 Commissioner Martinez-Rubin and Chair Kurrent volunteered to serve on the
30 Accessory Dwelling Unit Text Amendments Subcommittee.

31
32 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

33
34 Mr. Rhodes provided information on the upcoming annual Planning
35 Commissioner Academy scheduled for March 1 through 3, 2017 in the City of
36 Los Angeles, with funding available to send two Planning Commissioners to the
37 event. Interested Planning Commissioners were encouraged to contact staff.

38
39 Mr. Rhodes reported that the next meeting of the Planning Commission
40 scheduled for February 27 would include the two continued items as shown on
41 the agenda. He explained that special Planning Commission meetings might
42 need to be scheduled to move other projects forward, including the last building
43 in the Gateway Shopping Center for a dialysis medical office building, which
44 could involve a Planning Commission workshop in February and March.
45

1 Mr. Rhodes also reported on the status of Sprouts Market and Starbucks, which
2 were now open and explained that improvements were underway for the
3 remaining tenants. He described a number of issues related to the Sprouts
4 Market Center and explained how those issues were being addressed.
5

6 Commissioners expressed concern with parking and circulation in the Sprouts
7 Center, particularly when the center reached capacity; requested a more
8 substantive update on the recent passage to legalize marijuana; and noted that
9 Form 700 could now be submitted electronically.
10

11 Mr. Rhodes also provided an update on the status of the clock tower face for
12 CVS, and advised that while a design had been submitted, it was inconsistent
13 with the direction of the Planning Commission Development Review
14 Subcommittee. Staff would forward the plans to the Subcommittee, no approval
15 would be issued pending adjustments to the plans, and it would not impact the
16 construction of the CVS building. In addition, bicycle parking for the East Bluff
17 Apartments would be brought to the full Planning Commission at a future date,
18 once additional graphics had been provided. Construction for the project was
19 occurring in phases and would involve a multi-year effort.
20

21 Commissioner Thompson detailed the Subcommittee's discussions related to the
22 proposed bicycle parking at the East Bluff Apartments.
23

24 Chair Kurrent reported a sandwich sign had been posted in front of the building
25 near Tara Hills and Appian Way across from the gas station for months and
26 should be removed; and requested that a large For Lease sign located at the
27 medical office building at 1617 Canyon Drive should be removed given that CVS
28 had been approved.
29

30 Mr. Rhodes noted that the City accommodated real estate signs until the parties
31 had signed all necessary agreements. He was confident the For Lease sign
32 would not be in place much longer.
33

34 **I. COMMUNICATIONS:** None

35
36 **J. NEXT MEETING:**

37
38 The next meeting of the Planning Commission will be a Regular Meeting to be
39 held on Monday, February 27, 2017 at 7:00 P.M.
40

41 **K. ADJOURNMENT:** 8:34 P.M

42
43 Transcribed by:
44
45

1 Anita L. Tucci-Smith
2 Transcriber