

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

**MINUTES OF THE SPECIAL
PINOLE PLANNING COMMISSION**

June 13, 2016

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

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

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

Commissioners Absent: Tave, Thompson

Staff Present: Winston Rhodes, Planning Manager
Nick Pappani, Raney Planning and Management
Charles Abrams, Abrams Associates

C. CITIZENS TO BE HEARD:

There were no citizens to be heard.

D. CONSENT CALENDAR:

1. Planning Commission Meeting Minutes from May 23, 2016

MOTION to approve the Planning Commission Meeting Minutes from May 23, 2016, as submitted.

MOTION: Martinez-Rubin SECONDED: Brooks APPROVED: 5-0-2
ABSENT: Tave, Thompson

E. PUBLIC HEARINGS:

**1. Design Review (DR 15-10) and Conditional Use Permit (CUP 15-02):
Gateway Medical Center**

Request: Consideration of a Design Review and Conditional Use Permit request to construct a new approximately 9,182 square foot two-story medical office building with 10 new automobile parking spaces and accompanying improvements for an ambulatory surgical center on an approximately 26,090 square foot parcel with 21 existing automobile parking spaces and allow a proposed six auto parking space reduction in the normally required number

1 of parking spaces.
2

3 **Applicant:** Agape, LLC
4 1214 McDonald Drive
5 Pinole, CA 94564
6

7 **Location:** Southeast corner of the intersection of Pinole Valley Road
8 and Henry Avenue, APN 401-211-033
9

10 **Project Staff:** Winston Rhodes, Planning Manager
11

12 Planning Manager Winston Rhodes reported that information had been received
13 after the distribution of the staff report dated April 25, 2016, including letters from
14 Pinole residents Jose Soria and Parker Walker; e-mail comments and concerns
15 received from Planning Commissioner Thompson, who was unable to attend the
16 meeting; and PowerPoints from the applicant and staff, copies of which had been
17 provided to the Planning Commission and made available to the public. He also
18 identified a correction to Attachment D, Draft Resolution to Item 14, as shown on
19 Page 3, to be revised to show a termination date of *June 13, 2017*.
20

21 NICK PAPPANI, Raney Planning and Management, presented a PowerPoint to
22 identify the California Environmental Quality Act (CEQA) requirements, and
23 reported that the project had been found to have no significant environmental
24 effects related to noise, air, traffic, water quality, public services and utilities, and
25 had been determined to be Categorically Exempt under CEQA.
26

27 CHARLIE ABRAMS, Principle, Abrams Associates, presented a PowerPoint to
28 identify the conclusions of a Parking Study Inventory Survey, an analysis of trip
29 generation, and proposed parking for the medical office building, with the
30 conclusion that the applicant's proposal to provide 31 parking spaces, six parking
31 spaces short of the normally required number, would be sufficient as long as the
32 applicant used other transportation means including financial incentives to
33 employees to use public transit.
34

35 Mr. Rhodes recommended approval of Design Review (DR 15-10) and Conditional
36 Use Permit (CUP 15-02) for Gateway Medical Center subject to findings and
37 conditions.
38

39 PUBLIC HEARING OPENED
40

41 DONNA VINGO, Envision Construction & Design, Dublin, General Contractors for
42 the Gateway Medical Center Surgical Center, stated the initial application had
43 been presented to the City Council, which had provided feedback to the applicant
44 resulting in revisions including articulation changes to better match the Kaiser
45 building, lowering the roof level, modifying the building colors, reducing the entire

1 building size by 800 square feet, reducing the required parking, and simplifying the
2 design to offer a cleaner and more professional appearance which complied with
3 all General Plan, zoning and land use requirements. The project also met the
4 requirements of the Three Corridors Specific Plan, which called for an intensity of
5 use along Pinole Valley Road. Landscaping had also been increased with
6 indoor/outdoor patios and attention to detail to ensure the project met what the City
7 Council had previously requested.

8
9 The Planning Commission Design Review Subcommittee had met in January
10 2016, at which time more refinements had been made to the project including a
11 color change. Additional refinements had been made after the Planning
12 Commission Workshop on April 25. In terms of the approval of the CUP, the
13 applicant must meet four standards to qualify for the CUP; the only standard not
14 met was a requirement for underground parking.

15
16 Dr. SCOTT LEE, Pinole, reported that after the April 2016 Planning Commission
17 Workshop, he had been encouraged to meet with the neighbors to discuss parking
18 concerns. Having gone door to door, he had found some of the neighbors had
19 been resistant given concerns with overflow parking on the street, although once
20 shown the overabundance of parking in the Kaiser lot and the traffic analysis,
21 many of the neighbors had changed their opinion, as evidenced by written letters
22 of support.

23
24 JOSE SORIA, Pinole, suggested the required parking should be provided with no
25 exceptions given the parking issues in the community; questioned where Kaiser
26 patients and employees would park given his understanding that Kaiser was at
27 capacity; expressed concern with overflow parking into the nearby neighborhood
28 regardless of the conclusions identified in the traffic study; the building should
29 blend with the existing architecture on Henry Avenue and the buildings across the
30 street; and the architecture should not be required to match the Kaiser building.

31
32 JAMES SHATTUCK, Pinole, had no connection with the project other than respect
33 for Dr. Lee who as a resident and business owner in the City of Pinole desired to
34 establish a respected practice in his hometown. He spoke to the amount of time
35 and money expended by Dr. Lee to establish the business, expressed concern
36 with overregulation, and found that many of the concerns raised were not
37 legitimate. He supported approval of the project.

38
39 JEANIE MARIE HARRIS, Pinole, a patient of Dr. Lee understood the concerns
40 with respect to parking and stated there was transportation available to patients.
41 She supported the color palette as contemporary and complementary to the
42 environment; did not see a conflict with Kaiser which was located on the other side
43 of the subject site; found the traffic and environmental studies to be acceptable;
44 and liked the idea of the patio and overhang on the building for protection from the
45 weather, as well as the graffiti resistant material and articulation on the building.

1
2 TERESA STOTT, representing the Bear Claw Bakery & Café, Pinole, supported
3 Dr. Lee's medical practice and his investment and much needed medical services
4 to the community.
5

6 MARY HORTON, Pinole, found the architecture of the building to be compatible
7 with the adjacent Kaiser building; liked the patio design which was artful and
8 appropriate; since Kaiser had not opined either for or against the project suggested
9 Kaiser was not concerned about the project; clarified Pinole was an urban city with
10 mixed uses and not an urban center; it had been the intent of the City Council for
11 Pinole to be a destination for all required services; and supported the project.
12

13 MAURA SULLIVAN, Pinole, understood that something would be built on the
14 property, was excited to see it would be filled by a local resident; was familiar with
15 the area and had not experienced any problems parking at Kaiser; but as a
16 resident of the Linda Heights neighborhood had concerns with the uncontrolled left
17 hand turn out of the site given the potential increase in traffic and limited sightlines.
18

19 MARK CROWDER, Pinole, a patient of Dr. Lee's emphasized the need to keep
20 doctors so that patients did not have to travel outside the area for medical care.
21

22 KEITH FREEMAN, Pinole, understood the City planned for a medical building on
23 the corner in accordance with plans approved in the past; understood people using
24 transit parked on the street; and supported the project.
25

26 BILL LOW, Pinole, echoed the support of previous speakers in support of Dr.
27 Lee's medical facility and urged approval of the project.
28

29 LEE GREER, Pinole, a patient of Dr. Lee also supported the application, and
30 commended Dr. Lee as a credit to his profession and an asset to the community.
31

32 BONNIE WEBB, Pinole, a patient of Dr. Lee urged the Planning Commission to
33 support the application and keep Dr. Lee and his medical services in the
34 community.
35

36 SEMION MIRKIA, Pinole, a patient of Dr. Lee, emphasized the medical services
37 provided and urged the approval of the application.
38

39 RICH DAVENPORT, Pinole, a patient of Dr. Lee suggested that parking on Henry
40 Avenue was more than adequate and supported the project as a benefit to the
41 City.
42

43 ROY RODRIGUES, Pinole, a patient of Dr. Lee had no issues with parking at Dr.
44 Lee's current medical office location given that patients were seen by the doctor for
45 a limited period of time and he did not see that parking would be an issue at the

1 subject location.
2

3 HARRY SINGH DOSANJH, Pinole, urged approval of the application to allow Dr.
4 Lee to remain in the community and not require patients to travel outside the area.
5

6 In response to the public comments, Mr. Charles Abrams from Abrams and
7 Associates explained that the driveway offered enough space back from Pinole
8 Valley Road and the sight distance setback from the building where there should
9 be no sight distance issues or special safety or hazardous situations with the
10 existing driveway location.
11

12 PUBLIC HEARING CLOSED 13

14 The Planning Commission discussed the proposed Gateway Medical Center
15 project and offered the following comments and/or direction to staff:
16

- 17 • Thanked Dr. Lee for his willingness to rework the project. [Brooks]
18
- 19 • Found that concerns raised in previous meetings related to parking had
20 been addressed satisfactorily; suggested the Traffic Demand Management
21 (TDM) Program would benefit patients in using public transportation,
22 mitigate use of vehicles, and offered a great opportunity to test that
23 program. [Martinez-Rubin]
24
- 25 • Found that the project aligned with existing development at Kaiser and the
26 Gateway Shopping Center; the building colors would blend in but given the
27 darker wall color it was difficult to visualize until the building was built, and
28 requested a mockup for the exterior color paint for the stucco color as a
29 condition of approval. [Wong].
30
- 31 • Liked the fact that the community continued to reinvest in itself;
32 commended Dr. Lee for his willingness to invest in the community; was
33 satisfied the use proposed would be accommodated on the site based on
34 the traffic analysis; was confident any overflow parking would not burden
35 the adjacent neighborhood; but urged the City to consider striping of the
36 parking in the area as a separate issue not related to the project; and
37 sought a feedback mechanism over the next three to five years with respect
38 to the TDM program, with a report back to the Planning Commission; and
39 recommended Condition 15 be modified to address the potential for special
40 events. [Hartley]
41
- 42 • Recommended Condition 6 be modified to address any special events or
43 an open house. [Kurrent]
44

45 After considerable discussion, the Planning Commission proposed several

1 modifications to Conditions 6 and 15, although the Commission ultimately decided
2 the following: *The regular operating hours of the Gateway Medical Center shall be*
3 *7:00 A.M. to 7:00 P.M. Monday through Saturday. Limited Sunday operations*
4 *shall be allowed only to accommodate medical emergencies.* The change was
5 made with the understanding that a special event would require the applicant to
6 obtain a Temporary Use Permit. By consensus, the Planning Commission
7 determined that Condition 15 should remain as initially shown, in Exhibit A since
8 special events would be covered under Temporary Use Permit provisions; and
9 deleted Condition 58 as a duplicate condition.

10
11 **MOTION** to adopt Resolution 16-05, with Exhibit A; Conditions of Approval, a
12 Resolution of the Planning Commission of the City of Pinole Approving a Design
13 Review Request (DR 15-10) and Approving a Conditional Use Permit (CUP 15-02)
14 for an Approximately 9,182 Square Foot Medical Office Building (APN: 401-211-
15 033) Located Southeast of the Intersection of Pinole Valley Road and Henry
16 Avenue, subject to:

- 17
- 18 • Attachment D, Draft Resolution, correct Item 14 as shown on Page 3 to
19 show the termination date as *June 13, 2017*;
- 20
- 21 • Exhibit A, delete Condition 58; and
- 22
- 23 • Exhibit A, revise Condition 6, to read: *The regular operating hours of the*
24 *Gateway Medical Center shall be 7:00 A.M. to 7:00 P.M. Monday through*
25 *Saturday. Limited Sunday operations shall be allowed only to*
26 *accommodate medical emergencies.*
- 27

28 **MOTION: Hartley**

SECONDED: Wong

APPROVED: 5-0-2

ABSENT: Tave, Thompson

29
30
31 Chair Kurrent identified the 10-day appeal process of a decision of the Planning
32 Commission in writing to the City Clerk.

33
34 **F. OLD BUSINESS:** None

35
36 **G. NEW BUSINESS:** None

37
38 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

39
40 Mr. Rhodes reported that the regular Planning Commission meeting scheduled
41 for June 27, 2016 would include one to two commercial projects. He also
42 encouraged Commissioners to complete the AB 1234 ethics training on-line, with
43 the Planning Commission to be apprised whether a potential joint session with
44 the City Council would be considered.

1 Commissioner Wong reported he would have to recuse himself from any future
2 discussions of the East Bay Regional Park District Pinole Shores to Bayfront
3 Park Bay Trail development given a potential conflict of interest.
4

5 **I. COMMUNICATIONS:**
6

7 The Planning Commission acknowledged receipt of the following:
8

- 9 **1. Copy of East Bay Regional Park District Informational Presentation**
10 **Made to City Council on June 7, 2016**
11

12 **J. NEXT MEETING:**
13

14 The next meeting of the Planning Commission will be held on Monday, June 27,
15 2016 at 7:00 P.M.
16

17 **K. ADJOURNMENT: 9:48 P.M**
18

19 Transcribed by:
20

21
22 Anita L. Tucci-Smith
23 Transcriber
24