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3 **MINUTES OF THE REGULAR**  
4 **PINOLE PLANNING COMMISSION**

5  
6 **October 24, 2016**  
7

8  
9 **A. CALL TO ORDER:** 7:06 P.M.  
10

11 **B. PLEDGE OF ALLEGIANCE AND ROLL CALL:**  
12

13 Commissioners Present: Brooks, Martinez-Rubin, Tave, Thompson, Wong,  
14 Chair Kurrent  
15

16 Commissioners Absent: Hartley  
17

18 Staff Present: Winston Rhodes, Planning Manager  
19

20 **C. CITIZENS TO BE HEARD:**  
21

22 There were no citizens to be heard.  
23

24 **D. CONSENT CALENDAR:**  
25

26 1. Planning Commission Meeting Minutes from September 12, 2016  
27

28 2. Planning Commission Meeting Minutes from September 26, 2016  
29

30 **MOTION** to approve the minutes from the Planning Commission meeting of  
31 September 12, 2016, as submitted.  
32

33 **MOTION: Martinez-Rubin SECONDED: Thompson APPROVED: 6-0-1**  
34 **ABSENT: Hartley**  
35

36 **MOTION** to approve the minutes of the Planning Commission meeting of  
37 September 26, 2016, as submitted.  
38

39 **MOTION: Thompson SECONDED: Wong APPROVED: 4-0-2-1**  
40 **ABSTAIN: Martinez-Rubin, Tave**  
41 **ABSENT: Hartley**  
42

43 **E. PUBLIC HEARINGS:**  
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1           **1.     DR 16-20: Sitaula Single Family Residence**

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3           **Request:**                 Consideration of a design review request to develop an  
4                                     approximately 2,948 square foot residence.

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6           **Applicant:**             John W. Smith  
7                                     1801 Blossomwood Lane  
8                                     Tracy, CA 95376

9  
10          **Location:**            1431 Nob Hill Avenue, APN 402-090-010

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

13  
14          Planning Manager Winston Rhodes presented the staff report dated October 24,  
15          2016, and recommended the Planning Commission adopt a Resolution, approving  
16          DR 16-20, subject to conditions.

17  
18          Responding to the Commission, Mr. Rhodes clarified a shadow study had not  
19          been prepared but could be added as a condition of approval to ensure the solar  
20          panels for property located to the east at 1457 Nob Hill Avenue were not blocked;  
21          State law restricted the City's ability to regulate the installation of solar panels but  
22          encouraged the installation of solar panels, which were included in the City's  
23          Design Guidelines; the application had been publicly noticed as required and no  
24          one from 1457 Nob Hill Avenue had come forward; and a previous application for  
25          the subject lot had been conditionally approved by the Planning Commission in  
26          2010, but had not been pursued and had ultimately expired.

27  
28          The proposed home would be 28 feet in height at the highest point; homes on  
29          Marlesta Road were on higher elevations and higher than the Nob Hill Avenue lot;  
30          the proposed home would be two stories in height, below the City's height  
31          requirement; in order to minimize the amount of grading on the steep property, the  
32          applicant had proposed a design to accommodate the desired living space; and  
33          the applicant had limited the massing with varied rooflines from the first to second  
34          floors.

35  
36          Mr. Rhodes affirmed that in 2010 the prior application had elicited concerns from  
37          neighbors as to building height and blocking views. He also spoke to the size of  
38          the deck that would protrude out just above the garage. Materials just presented  
39          to the Planning Commission included aerial information offering an idea of the  
40          deck size, although views from the deck had not been identified.

41  
42          Mr. Rhodes acknowledged Planning Commission concerns with the accuracy of  
43          the site plan; clarified that street elevations from the Nob Hill Avenue elevation had  
44          not been submitted by the applicant; and noted that if a shadow study was  
45          prepared and verified that the neighbor's solar panels would be affected, the

1 application would have to return to the Planning Commission. Detailed precise  
2 colors and materials had also not been reflected on the plans.

3  
4 Mr. Rhodes also responded to concerns with the proximity of existing PG&E  
5 transmission lines near the subject property, and explained that the City could not  
6 regulate nor had the authority to require PG&E to underground or move the  
7 existing transmission lines. The issue of radio frequency (RF) emissions was  
8 mentioned but staff mentioned it should be addressed with the Public Utilities  
9 Commission (PUC), although it may be possible for the City could consider  
10 sending a letter to the PUC to outline the concerns with the transmission lines, or  
11 request that PG&E study the issue.

### 12 PUBLIC HEARING OPENED

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14  
15 JOHN W. SMITH, 1801 Blossomwood Lane, Tracy, the applicant, stated he had  
16 hoped to place the second story sections of the two homes (1431 and 1409 Nob  
17 Hill Avenue) together, although the addresses had changed and the homes were  
18 opposite from one another making the home under discussion appear to be out of  
19 perspective. He described the design and explained that the garage and deck  
20 were in the front portion of the lot and the second floor would become the first floor  
21 as it moved back on the lot, stepping up the grade. He identified the highest point  
22 of the home at 27 feet.

23  
24 Mr. Rhodes clarified that the maximum height standard pursuant to the Zoning  
25 Code applied to the finished grade.

26  
27 Mr. Smith clarified that the decks for 1431 and 1409 Nob Hill Avenue were on the  
28 same side of the property, with the two garages together.

29  
30 The Planning Commission and staff pointed out the intent as described by the  
31 applicant had not been reflected on the plans, and that the plans showed that the  
32 two decks would view into neighbors' yards.

33  
34 Mr. Smith acknowledged the higher elevation of the two homes would be adjacent  
35 to property at 1457 Nob Hill Avenue. He did not oppose reversing the plan for the  
36 home to help mitigate privacy issues, and expressed the willingness to prepare a  
37 drawing to reflect that change and to identify the relationship of the two homes to  
38 each other and existing homes. As to whether there had been any consideration  
39 to stagger the two homes and conduct some grading, there was a natural  
40 staggering occurring and the driveways were opposite one another, which would  
41 push one of the homes back further than the other. One of the homes would have  
42 a front porch at a 20-foot setback while the other would be approximately 10 feet  
43 further back due to the angle of the property.

44  
45 Mr. Smith also provided a color sample for the home at 1431 Nob Hill Avenue, with

1 Mr. Rhodes clarifying the proposed use of a gray tile roof, with a bright sky blue  
2 color for the home, with a navy darker blue trim and a Royal blue door.

3  
4 GERALD GRZECHOWIAK, 1450 Marlesta Road, Pinole, understood the building  
5 height had been measured from the existing grade and that the home was higher  
6 than it appeared from the street level. He had been a concerned neighbor in 2010  
7 when a prior proposal had been approved by the Planning Commission, at which  
8 time he had concerns with the building height and compatibility with the  
9 neighborhood. He requested clarification whether the high and low points of the  
10 two homes would come together.

11  
12 Mr. Grzechowiak also requested more information regarding potential impacts  
13 regarding the existing PG&E transmission lines. He affirmed, when asked, that he  
14 currently enjoyed a view of the Bay although it had been obscured a bit by  
15 overgrown vegetation. He expressed the willingness to allow staff to take  
16 photographs from his property, as had been allowed in 2010, and provided his  
17 contact information on the speaker card.

18  
19 **PUBLIC HEARING CLOSED**

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21 Mr. Rhodes expressed the willingness to discuss the proposed colors with the  
22 applicant in that the City typically desired more contrast.

23  
24 The Planning Commission discussed the application and offered  
25 recommendations and/or direction to staff and the applicant, which Mr. Rhodes  
26 summarized, as follows:

- 27
- 28 • Provide a shadow study to address the potential impacts to the existing  
29 solar panels at 1457 Nob Hill Avenue;
  - 30  
31 • Provide a streetscape view to show how the two proposed homes would  
32 relate to the closest existing homes on Nob Hill Avenue;
  - 33  
34 • Provide a cross section view that includes the homes on Marlesta Road to  
35 determine the elevations and the potential impacts on views from the  
36 homes on Marlesta Road; and
  - 37  
38 • Provide a footprint of the existing home adjacent to the site plan for 1431  
39 Nob Hill Avenue to view the location of the balcony in relation to the existing  
40 home base from both a bird's eye view and a streetscape view perspective.

41  
42 **MOTION** to continue to DR 16-20, Sitaula Single Family Residence, 1431 Nob Hill  
43 Avenue, to a future date to be determined, with the applicant to provide more  
44 information as discussed.

45 **MOTION: Thompson      SECONDED: Martinez-Rubin      APPROVED: 6-0-1**

**ABSENT: Hartley**

**2. Design Review 16-19: Bashyal Single Family Residence**

**Request:** Consideration of a design review request to develop an approximately 2,977 square foot residence.

**Applicant:** John W. Smith  
1801 Blossomwood Lane  
Tracy, CA 95376

**Location:** 1409 Nob Hill Avenue, APN 402-090-011

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

Planning Manager Rhodes presented the staff report dated October 24, 2016, advised that the architecture and building size was similar to the home at 1431 Nob Hill Avenue, with identical conditions with the exception of Condition 18, which required the applicant to add lap siding around the side elevations to reach the side yard wooden fence; a condition to install all wood trim rather than a combination of stucco and wood trim wrapping the windows to differentiate the home from the home at 1431 Nob Hill Avenue; and as part of Condition 18(d) the applicant to modify the floor plans to reflect the window openings as shown on the second story elevations.

Responding to the Commission, Mr. Rhodes clarified that the two applications were two separate applications, with slightly varied designs, although the property owner was the same. A preliminary landscape plan had been provided, and there would be some lighting details that staff would see at the staff level; however, more detail on the lighting fixtures would be appropriate. He reiterated that staff would discuss the building colors with the applicant to ensure the colors that had been proposed would relate to the different design elements on the building elevation.

Mr. Rhodes also confirmed that the Planning Commission had requested a streetscape view and bird's eye view to show how the two proposed homes related to the closest existing homes on Nob Hill Avenue, including the property at 1457 Nob Hill Avenue; clarified a Commission request for more information included a site plan for the proposed dwelling units relative to the properties at 1457 Nob Hill Avenue, 1414 and 1450 Marlesta Road; the intent was for two streetscape views, one from Nob Hill Avenue towards Marlesta Road and the other from Marlesta Road towards Nob Hill Avenue; with the site plan view to include the proposed dwelling units relative to the properties at 1457 Nob Hill Avenue, and 1414 and 1450 Marlesta Road.

**PUBLIC HEARING OPENED**

1  
2 There were no comments from the public.

3  
4 **PUBLIC HEARING CLOSED**

5  
6 The Planning Commission discussed the application and offered the following  
7 recommendations and/or direction to staff and the applicant:

- 8  
9
- 10 • Found the design for the property at 1409 Nob Hill Avenue had better  
11 accommodated the applicant's and neighbors' views, but found the building  
12 colors had little contrast in comparison to neighbors' homes which were  
13 lighter and more pastel in color. (Wong)
  - 14 • Suggested the comments for 1431 Nob Hill Avenue applied to 1409 Nob  
15 Hill Avenue; acknowledged Mr. Grzechowiak's concerns with respect to  
16 view impacts; found there were more issues with the property at 1431 Nob  
17 Hill Avenue than 1409 Nob Hill Avenue in terms of privacy and impacts to  
18 the solar panels of the property at 1457 Nob Hill Avenue; and there was a  
19 need to better understand the building orientation. Recommended the item  
20 also be continued with more information provided for both properties, as  
21 discussed. (Kurrent)
- 22

23 **MOTION** to continue Design Review 16-19, Bashyal Single Family Residence at  
24 1409 Nob Hill Avenue, to a future date to be determined, with the applicant to  
25 provide more information as discussed.

26  
27 **MOTION: Thompson**

**SECONDED: Brooks**

**APPROVED: 6-0-1**

**ABSENT: Hartley**

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30 **F. OLD BUSINESS:** None

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32 **G. NEW BUSINESS:** None

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34 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

35  
36 Mr. Rhodes reported on a request to remove three redwood trees from property  
37 at Shamus Court that were pushing up concrete and damaging a garage, and  
38 which had been approved administratively. He reminded Planning  
39 Commissioners of the Planning Commission training at Sonoma State University  
40 scheduled for December 3, 2016, and asked Commissioners to contact him via  
41 e-mail to allow staff to make the necessary arrangements. He confirmed that  
42 another training opportunity would be possible in the spring in Southern  
43 California.

44  
45 Mr. Rhodes also reported an application had been received for the Gateway

1 Shopping Center to modify a previously approved medical office building now  
2 proposed for a dialysis clinic, to be brought to the Planning Commission in the  
3 future for a recommendation to the City Council. As part of the approval of the  
4 Gateway Shopping Center, a final landscape plan was to be submitted for the  
5 area owned by the Contra Costa County Flood Control between private property  
6 and the Pinole Creek trail. The City was in discussions with the applicant, and  
7 the County Flood Control District prior to submitting the plan to the Planning  
8 Commission and the City Council. Also, a ribbon cutting ceremony for the fish  
9 passage project at Pinole Creek had been held the morning of October 24, 2016,  
10 with many dignitaries and local officials present. He also updated the  
11 Commission on the status of tenants in the Gateway Shopping Center;  
12 Starbucks was waiting on PG&E to turn on the power; work was progressing on  
13 Sprouts; several of the retail tenants were close to opening; and the sidewalk  
14 width in the project would be measured to ensure Americans with Disabilities Act  
15 (ADA) compliance.

16  
17 **I. COMMUNICATIONS:** None

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19 **J. NEXT MEETING:**

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21 The next meeting of the Planning Commission will be a Regular Meeting to be  
22 held on Monday, November 21, 2016 at 7:00 P.M.

23  
24 **K. ADJOURNMENT:** 9:30 P.M

25  
26 Transcribed by:

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28  
29 Anita L. Tucci-Smith  
30 Transcriber

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