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2  
3 **MINUTES OF THE REGULAR**  
4 **PINOLE PLANNING COMMISSION**

5  
6 **December 12, 2016**  
7

8  
9 **A. CALL TO ORDER:** 7:03 P.M.  
10

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

12 Commissioners Present: Brooks, Tave, Thompson, Wong, Chair Kurrent

13  
14 Commissioners Absent: Martinez-Rubin, Hartley

15  
16 Staff Present: Winston Rhodes, Planning Manager  
17

18  
19 **C. CITIZENS TO BE HEARD:**

20  
21 There were no citizens to be heard.  
22

23 **D. CONSENT CALENDAR:**

24  
25 1. Planning Commission Meeting Minutes from November 21, 2016

26  
27 2. 2017 Planning Commission Regular Meeting Schedule  
28

29 Chair Kurrent requested that Item D2 be pulled from the Consent Calendar for  
30 discussion.  
31

32 **MOTION** to approve the Planning Commission Meeting Minutes from November  
33 21, 2016, as submitted.  
34

35 **MOTION: Thompson      SECONDED: Brooks      APPROVED: 5-0-2**  
36 **ABSENT: Martinez-Rubin, Hartley**  
37

38 Chair Kurrent requested that the meeting shown for December 18, 2017 be  
39 rescheduled to December 11, 2017 and Commissioner Tave requested that the  
40 meeting shown for November 20, 2017 be rescheduled to November 13, 2017.  
41

42 **MOTION** to modify the 2017 Planning Commission Regular Meeting Schedule  
43 with the meeting dates for December and November 2017 to be modified, as  
44 follows: *December 11, 2017 and November 13, 2017.*  
45



1 In response to the Chair, Mr. Tejada provided extensive details on the court case  
2 he had filed against the applicant; stated it appeared that more than one family  
3 lived on the property; and noted that there had been some confusion between the  
4 name of the applicant and his mother who shared the same first name.  
5

6 Mr. Rhodes clarified that small family daycare operations were allowed in the City  
7 of Pinole by right and cities could not prevent small family daycare operations from  
8 occupying a single-family residence, although they were required to meet specific  
9 criteria and licensing by the State. In response to the parking concerns, he  
10 confirmed that similar concerns had been raised by others in the neighborhood via  
11 e-mail. The Pinole Police Department had been contacted to provide information  
12 on any calls for service to the subject property.  
13

14 Mr. Rhodes reiterated that a staff report had not been prepared since the item  
15 would be continued, although he understood the applicant planned to expand the  
16 current hours of operation of 7:00 A.M. to 6:00 P.M. to provide more flexibility for  
17 drop-off and pick-up; did not plan to have more than eight children during the  
18 current hours of operation; and more information would be provided when the staff  
19 report was finalized.  
20

21 Chair Kurrent asked staff to address in the staff report yet to be prepared the  
22 Planning Commission's discretion related to hours of operation, and/or noise  
23 abatement and control.  
24

25 In response to Commissioner Thompson as to the number of occupants on the  
26 property, Mr. Rhodes clarified that the applicant was not present since the item  
27 would be continued, and although the number of people residing in the residence  
28 was not under the Planning Commission's discretion, the number of employees or  
29 the hours of operation could be evaluated by the Commission.  
30

31 Commissioner Thompson asked staff to also address the hours when children  
32 were outside.  
33

34 In response to comments as to the number of birds on the property and whether  
35 they were compatible with the daycare operation, and the other issues raised by  
36 the neighbors and the Commission, Mr. Rhodes reiterated that the item would be  
37 continued to January 23, 2017, would not require re-notification, and additional  
38 information would be provided at that time. If the requested information was not  
39 provided, the item could be continued and the public hearing would be re-noticed.  
40

41 **2. Design Review 16-23 and Conditional Use Permit 16-06: Happy Ramen**  
42 **Restaurant with Alcohol Sales**  
43

44 **Request:** Consideration of design review request to modify an  
45 existing approximately 2,584 square foot commercial

1 building for a restaurant including a use permit request  
2 to sell beer and wine within the restaurant for on-site  
3 consumption.

4  
5 **Applicant:** Richard Brunelle  
6 1552 167<sup>th</sup> Avenue  
7 San Leandro, CA 94578

8  
9 **Location:** 1907 San Pablo Avenue, APN 401-112-029

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

12  
13 **This item has been continued to January 23, 2017**

14  
15 Mr. Rhodes stated the item would be continued to the Planning Commission  
16 meeting of January 23, 2017, and the applicant had been notified of the  
17 continuance by email. After staff had inspected the site, staff had found issues  
18 with the single-family residence on the same parcel related to the condition of the  
19 front yard and work to enclose the patio area absent permits. The code  
20 enforcement issues would have to be resolved prior to consideration of the design  
21 review and conditional use permit requests, which had necessitated the  
22 continuance.

23  
24 **F. OLD BUSINESS:** None

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26 **G. NEW BUSINESS:**

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28 **1. Planning Commission Subcommittee Discussion**

29  
30 Mr. Rhodes described the make-up, purpose, and periodic meetings as needed of  
31 the Planning Commission Development Review Subcommittee and the  
32 establishment of other subcommittees as needed to address specific aspects of  
33 certain projects. For example, a subcommittee to review the East Bluffs  
34 Apartments outstanding item related to location and design of on-site bicycle  
35 parking. In that case, ongoing efforts have been in progress to schedule a  
36 subcommittee discussion on the project site to provide direction to the applicant.  
37 Another subcommittee had been formed to review the faux clock antenna tower  
38 design details for the CVS Pharmacy project and staff was waiting for greater  
39 details from the applicant in that case to finalize the design. Once received, the  
40 information would be forwarded to the subcommittee members electronically for  
41 further feedback to confirm past direction.

42  
43 Mr. Rhodes reported that the East Bluff Apartments had installed temporary  
44 bicycle parking on-site but was planning on a method that met the City's  
45 requirements, and while he could obtain graphic information for review, it was

1 important for staff, the subcommittee members, and the applicant to be on-site at  
2 the same time to address any concerns.

3  
4 By consensus, the East Bluff Apartments bicycle parking subcommittee members  
5 requested a Friday or Saturday meeting with staff and the applicant to meet on  
6 site.

7  
8 By consensus, the Planning Commission determined to consider whether or not to  
9 expand the existing two person Development Review subcommittee in March 2017  
10 when the subcommittee member composition will be determined for 2017- 2018.

11  
12 **H. CITY PLANNER’S / COMMISSIONERS’ REPORT:**

13  
14 Mr. Rhodes stated the next meeting of the Planning Commission would be on  
15 January 23, 2017 and would include the two agenda items which had been  
16 continued and possibly additional items. He also reported that two Development  
17 Services Department staff members had resigned to take positions in other  
18 cities, which could affect the speed of processing applications until permanent  
19 replacement employees could be found. The City would rely on contract staff  
20 and shifting the work responsibilities of existing staff members during the  
21 recruitment period for the positions.

22  
23 Mr. Rhodes mentioned the recent Planning Commission Conference at Sonoma  
24 State and advised that links to PowerPoint copies from the Conference sessions  
25 would be made available to the Commission. He also acknowledged the  
26 Conference had reached capacity before while trying to confirm all Planning  
27 Commission member interest in attending as this Conference is getting  
28 increasingly popular. The next Commissioner training opportunity will be the  
29 upcoming League of California Cities Planning Commissioner Institute in March  
30 2017. Further information would be provided to Commissioners when available.

31  
32 Mr. Rhodes also updated the Planning Commission on the status of the recently  
33 opened Starbucks in the Gateway Shopping Center; the request to expand a  
34 fourth building in the shopping center to be submitted for Commission review  
35 next year; status of the plans for a fifth building in the area of the Gateway area  
36 for an eye surgery center, which was currently not yet submitted for building plan  
37 check ; and the goal for the other tenants in the Gateway Shopping Center to be  
38 open in the coming weeks. In addition, the Resource Conservation District and  
39 the City had been considering the potential for grant funds for interpretative  
40 signage for the fish passage project and any new information would be brought  
41 forward when available. In response to questions, staff advised that the required  
42 width of the sidewalk adjacent to Sprouts will be verified by the Public Works  
43 Inspector and satisfied prior to final building occupancy and private property  
44 accessibility will be checked for compliance with applicable standards and  
45 provided prior to final occupancy.

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Chair Kurrent announced the passing of Virginia Fugita, a former member of the City Council and City of Pinole Human Resources staff, and requested that the meeting be adjourned in her memory.

Chair Kurrent wished everyone a Happy Holiday.

**I. COMMUNICATIONS:** None

**J. NEXT MEETING:**

The next meeting of the Planning Commission will be a Regular Meeting to be held on Monday, January 23, 2017 at 7:00 P.M.

**K. ADJOURNMENT:** 8:13 P.M *in Memory of Virginia Fujita.*

Transcribed by:

Anita L. Tucci-Smith  
Transcriber