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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 167<sup>th</sup> 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**

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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.

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