

1
2
3
4
5
6
7
8
9
10
11
12
13
14

**MINUTES OF THE
REGULAR MEETING OF THE
PINOLE PLANNING COMMISSION and
PLANNING COMMISSION ACTING AS THE STEERING COMMITTEE FOR THE
GENERAL PLAN UPDATE PROCESS**

July 13, 2009

THE PLANNING COMMISSION

15 **A. CALL TO ORDER:** 7:00 P.M.

16
17 **B. PLEDGE OF ALLEGIANCE AND ROLL CALL:**

18
19 Commissioners Present: Banuelos, Bender, McGoldrick, Sekins, Toms, Chair
20 Kurrent

21
22 Commissioner Absent: Brooks

23
24 Staff Present: Planning Manager, Winston Rhodes
25 Associate Planner, Anne Hersch
26 PMC Consulting, Scott Davidson
27 PMC Consulting, Christina Ratcliffe

28
29 **C. CITIZENS TO BE HEARD:**

30
31 There were no citizens to be heard.

32
33 **D. CONSENT CALENDAR:**

34
35 1. Planning Commission Meeting Minutes of June 8, 2009.

36
37 Commissioner Banuelos asked that line 42 of Page 2 be amended to read:

38
39 *TOMMY WOO, TW Designers, representing the applicant, stated that*
40 *because of the trash enclosure the handicap parking had been moved to the*
41 *front to allow easier access to the front door.*

42
43 Chair Kurrent referenced the discussion of the General Plan Housing Element on
44 Page 4. He asked that verbiage be included to reflect that the Commission had
45 discussed the formation of subcommittees to help expedite the process.

1 Commissioner Toms referred to Line 38 of Page 5 where that issue had been
2 discussed but which could be further detailed. She noted the statement that if only
3 a few Planning Commissioners were to receive the report they could work with staff
4 and the report could remain an administrative draft.

5
6 Chair Kurrent referred to the staff report for the General Plan Update review process
7 on the current agenda and requested that the statement in that report, mentioning
8 that several Steering Committee members mentioned a previous understanding
9 about review of administrative draft information by Steering Committee
10 subcommittees that was discussed prior to 2008, be included under the discussion
11 section of City Planner's/Commissioner's Report of the June 8 minutes.

12
13 Mr. Rhodes stated that this information would be included in the amended minutes.

14
15 **MOTION to approve the minutes of the June 8, 2009 meeting, as amended.**

16
17 **MOTION: Toms SECONDED: McGoldrick APPROVED: 6-0**

18
19 **E. PUBLIC HEARINGS:**

20
21 **1. Design Review 09-04; Pinole Shores Business Park Master Sign**
22 **Program.** Consideration of a proposed sign program for the Pinole Shores
23 Business Park located at 850 San Pablo Avenue. Applicant: Pinole Shores,
24 LLC, Mel Souza, 8775 Folsom Boulevard, #200, Sacramento, CA 95826.
25 Location: 806-840 San Pablo Avenue. APN 402-230-011, 012, 013, 014,
26 015, 016, 017, and 018.

27
28 Associate Planner Anne Hersch presented the staff memorandum dated July 13,
29 2009 and advised that the project, a joint venture between the Panattoni
30 Development Corporation and the City of Pinole, had been approved in 2005 with a
31 requirement that the applicant submit a Master Sign Program for review and
32 approval. She noted that due to the economy there had been a number of layoffs
33 and a multitude of project managers had been involved in the application. Site
34 construction was currently complete with one tenant at the site. No sign permits
35 had been issued to date, although the dentist's office had a temporary banner.
36 There were other businesses looking to locate in the business park although nothing
37 had been finalized at this time.

38
39 The sign program would serve both Phase I and II of the Pinole Shores Business
40 Park. Building 1 signage was located above a primary building entryway with a
41 maximum letter height of 18 inches. To build flexibility into the program the
42 applicant had included a note in the submittal to make the letters, Plexiglass colors
43 and letter style/font subject to architect and owner's approval.

44
45 A monument sign had also been proposed and had been conditioned to be reduced

1 from 43 to 36 square feet in area to meet the Pinole Municipal Code requirements.
2 The sign program otherwise met the requirements of the Pinole Municipal Code
3 which dealt with Master Sign Programs.

4
5 PUBLIC HEARING OPENED

6
7 There was no one present to address the Commission.

8
9 PUBLIC HEARING CLOSED

10
11 Commissioner Sekins commented that the sign program worked well with the
12 industrial site.

13
14 **MOTION to approve Design Review 09-04 for Pinole Shores Business Park**
15 **Master Sign Program subject to Planning Commission Resolution 09-10,**
16 **Design Review #09-04, A Resolution of the Planning Commission of the City**
17 **of Pinole Approving a Master Sign Program for the Pinole Shores Business**
18 **Park Located at 806-840 San Pablo Avenue (APNs 402-230-011, 012, 013, 014,**
19 **015, 016, 017, and 018).**

20
21 **MOTION: Banuelos SECONDED: Bender APPROVED: 6-0**

22
23 **2. Conditional Use Permit 09-03: Verizon Wireless Conditional Use Permit**
24 **Request:** Consideration to collocate new antennas and coaxial cables on an
25 existing radio tower at 2640 Silvercrest Drive, Applicant: Crown Castle,
26 Victoria Peris/Jason Osbourne, 5820 Stoneridge Mall Road, Suite 300,
27 Pleasanton, CA 94588. Location: 2640 Silvercrest Street. APN 360-240-
28 008

29
30 Associate Planner Anne Hersch presented the staff memorandum dated July 13,
31 2009 and advised that the request to update and expand an existing facility on a
32 tower located at 2640 Silvercrest Street was for an existing tower previously
33 approved with a Conditional Use Permit (CUP). As part of the application, the two
34 existing antennas would be removed and replaced with upgraded antennas and two
35 new antennas would be located for a total of four total antennas. She noted that
36 there was little visibility of the tower. She characterized the request as
37 straightforward and consistent with the Pinole Municipal Code. She recommended
38 approval.

39
40 PUBLIC HEARING OPENED

41
42 JASON OSBOURNE, Crown Castle, 5820 Stoneridge Mall Road, Suite 300,
43 Pleasanton, commended the staff report, and advised that he was in agreement
44 with the staff recommended conditions of approval.

45 PUBLIC HEARING CLOSED

1
2 When asked by Commissioner Sekins, Ms. Hersch verified that public notices had
3 been sent out and there had been questions and responses as to whether or not a
4 new monopole was proposed for installation.
5

6 **MOTION to approve Conditional Use Permit 09-03 for Verizon Wireless**
7 **Conditional Use Permit, subject to Attachment 1, Resolution 09-09,**
8 **w/Conditions of Approval, Resolution Approving Conditional Use Permit 09-**
9 **03, A Resolution of the Planning Commission of the City of Pinole Approving**
10 **Conditional Use Permit 09-03 which Includes Co-Location of Antennas and**
11 **Related Cables on an Existing Tower for Verizon Wireless at 2640 Silvercrest**
12 **Drive (APN: 360-240-025); Exhibit A, Conditions of Approval; and Attachment**
13 **2, Applicant Statement**
14

15 **MOTION: Toms** **SECONDED: Bender** **APPROVED: 6-0**

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

18
19 Mr. Rhodes took this opportunity to introduce Ben Dines, the new Planning Intern.
20

21
22 **THE PLANNING COMMISSION AS STEERING COMMITTEE FOR**
23 **THE GENERAL PLAN UPDATE PROCESS**
24

25
26 **G. NEW BUSINESS:**

27
28 1. Discussion of General Plan Update Review Process
29

30 Mr. Rhodes summarized the status of the item from the last meeting of the Steering
31 Committee. Having contacted the City Attorney's office and in talking with members
32 of the Committee, he noted that the memorandum dated July 13, 2009 had included
33 two options. Option 1 would allow a simultaneous public draft review by staff and
34 the full Steering Committee, while Option 2 would allow a simultaneous
35 administrative draft review by staff and steering subcommittees in an informal
36 setting to cover more information on a faster basis. He advised that in both options,
37 there would be a need for more frequent meetings of either subcommittees or of the
38 Steering Committee to be able to get through the information. He noted the pros
39 and cons with respect to both options.
40

41 Concurrent with the General Plan review, Mr. Rhodes advised of the review of the
42 Zoning Ordinance update. Rather than a piecemeal review given the cross
43 referencing and variable issues, he stated that the whole Zoning Ordinance would
44 be provided at one time to the Steering Committee for review to be able to see how
45 the separate title of the Code interrelate.

1
2 When asked, Christina Ratcliffe of PMC Consulting noted that the administrative
3 draft would normally go through a preliminary review by staff and then be submitted
4 to the Planning Commission or the Steering Committee, at which point the entire
5 document would be intact. Within the General Plan document certain topics,
6 sustainability, for instance, come up in other elements, and could be referenced
7 throughout the whole document as each individual element was reviewed. With a
8 smaller subcommittee process, there would have to be a consolidated input from all
9 City department heads. She emphasized the tentative schedule and a critical path
10 and the need to maintain that schedule if possible.

11
12 Mr. Rhodes clarified that the primary reason for the subcommittee process would
13 allow more meetings in a compressed period of time without requiring all seven
14 members at each meeting with a 72-hour notice process.

15
16 After discussion and a clarification, the Steering Committee supported Option 2 for a
17 subcommittee review process providing comments to the full Steering Committee
18 prior to any changes to the draft document. It was also clarified that the information
19 submitted to the subcommittees would be shared by no more than three members
20 of the Steering Committee to avoid Brown Act violations and that changes would not
21 be made to the draft until reviewed by the Steering Committee as a whole, at which
22 time that element would become a public document. PMC would make changes
23 after the Steering Committee had seen the entire document after review by the
24 subcommittees.

25
26 Ms. Ratcliffe expressed a willingness to attend the subcommittee meetings without
27 charge in the interest of speeding up the process. She also noted that Margaret
28 Kavanaugh-Lynch would be available on July 27 and may also attend the
29 subcommittee meetings as well given the impact to the Zoning Ordinance.

30
31 The subcommittee appointed to review the **Land Use and Economic**
32 **Development Element** was comprised of *Commissioners Banuelos* and
33 *McGoldrick* and *Chair Kurrent*, with the subcommittee to meet on July 16 at 10:00
34 A.M., with a potential second session for the afternoon of July 17, and the element
35 scheduled for full Steering Committee review on July 27.

36
37 The subcommittee appointed to review the **Natural Resources and Open Space**
38 **Element** was comprised of *Commissioners Bender* and *McGoldrick*, with the
39 subcommittee to meet on July 28 at 1:00 P.M., and the element scheduled for full
40 Steering Committee review on August 10.

41
42 The subcommittee appointed to review the **Community Character Element** was
43 comprised of *Commissioners Banuelos*, *Bender* and *Brooks* (with Commissioner
44 Brooks to be advised of his appointment), with the subcommittee to meet on July 29
45 at 2:00 P.M., and scheduled for full Steering Committee review on August 10.

1 The subcommittee appointed to review the **Sustainability Element** was comprised
2 of *Commissioner Toms* and *Chair Kurrent*, with the subcommittee to meet later in
3 September, and the element scheduled for full Steering Committee review on
4 October 13.

5
6 *Commissioners McGoldrick* and *Toms* were appointed to review the **Health and**
7 **Safety Element**.

8
9 Mr. Rhodes advised that the **Circulation and Community Services and Facilities**
10 **Draft Elements** were not yet ready for subcommittee review. As to the **Housing**
11 **Element**, he stated there would have to be a full Steering Committee review of edits
12 prior to to submittal to the State for review as a draft document. Discussion of the
13 draft Housing Element with the State's comments would return for further Steering
14 Committee review.

15
16 2. Discussion of Draft General Plan Background Report

17
18 Mr. Rhodes stated that the purpose of the item was to provide feedback and staff
19 input. He noted that some members had not provided comments on the public
20 document.

21
22 Ms. Ratcliffe provided a PowerPoint presentation of the overview of the project,
23 status of the elements, change in the Steering Committee role, confirmation of the
24 approach of public review and a schedule for review of the different draft elements
25 along with a preview of major issues, identifying areas of needed feedback and a
26 review of the background report. She noted that a three-page memo from PMC to
27 be provided this evening would include additional information.

28
29 Ms. Ratcliffe reported that the goal was to have the General Plan, Specific Plan,
30 Zoning Ordinance and the Environmental Impact Report (EIR) completed by June
31 2010. She identified the different General Plan components and the status of each,
32 and offered a compressed version of the schedule.

33
34 Mr. Rhodes explained that the Housing Element was being written based on the
35 direction in the Specific Plan to meet the Association of Bay Area Government's
36 (ABAG's) Regional Housing Needs Allocation (RHNA).

37
38 Ms. Ratcliffe also reviewed some of the scope of services changes including the
39 Climate Action Plan (to be identified as a future implementation action), Housing
40 Element (to be prepared by City staff), Growth Management Element (proposed to
41 be combined with Land Use Element), the Steering Committee's role (forum for all
42 General Plan element review), Public Outreach (including website maintenance by
43 City staff), and advised of some switching of roles on the consulting team where she
44 would serve as the Project Advisor, Scott Davidson the General Plan and Specific
45 Plan Project Manager and Margaret Kavanaugh-Lynch as the Zoning Ordinance

1 Project Manager.
2

3 Scott Davidson, PMC, General Plan and Specific Plan Project Manager, presented
4 a preview of the substantive issues to be discussed in the General Plan. He noted
5 that much of the work contemplated for the General Plan had been discussed in the
6 Specific Plan, particularly the idea of concentrating development along major
7 transportation corridors. He recommended a reduction of density and development
8 potential on rural residential land use areas and recommended that additional
9 standards be developed with respect to the protection of natural resources such as
10 ridgeline protection and riparian corridor setbacks. He also highlighted and
11 described some of the other major issues to be addressed at this time.
12

13 Mr. Rhodes emphasized the importance for the Steering Committee to keep in mind
14 the limited tools available for the City to address larger socio-economic issues
15 beyond Pinole that affected educational and equity issues in the community.
16

17 For background, Mr. Davidson stated that the City had provided a great deal of input
18 through the Specific Plan. The purpose was to describe the environmental,
19 economic, land use and public facility setting for the General Plan, Specific Plan,
20 Zoning Ordinance and the EIR.
21

22 Mr. Rhodes noted that the background report would be used to help prepare the
23 EIR. He stated that City staff was also looking at the document and any feedback
24 would be submitted to the Steering Committee. The item had been scheduled for
25 the July 27 Steering Committee meeting.
26

27 On a chapter by chapter review, the following revisions were recommended:
28

- 29 • Chapter 1 - Introduction, regional and local setting, City limits of Pinole were
30 described as 11.6 miles with almost 6 miles underwater, with a planning area
31 reported to be 13.3 square miles, to be verified, with a map to be included in
32 the chapter to show that area. Also, the current population was shown as
33 19,383 as opposed to 19,629. Some comments questioned the relevance of
34 the addition of a map and noted that the Sphere of Influence (SOI) and
35 planning area were the same thing.
36
- 37 • Chapter 2 – requested sources of population as footnotes to identify the
38 source of the data with the source of figures for median income to be cited
39 with the figures per household number to be verified.
40
- 41 • Population shown was for planning area and not just for the City.
42
- 43 • Page 8 – pie chart related to income levels with a suggestion that median
44 income be identified and to advise of the income levels to be considered
45 lower income. Mr. Rhodes verified that some of the demographic

1 information would also be used in the Housing Element.
2

- 3 • Chapter 2.0-11, Pinole Valley Shores Road should be shown as Pinole
4 Valley Road.
- 5
- 6 • Chapter 2.0-6, Pinole's fair share for affordable housing data to be provided
7 by staff.
- 8
- 9 • Chapter 2.0-1 identifying the source for jobs and updating the Department of
10 Finance data for households in the City Limits (7,032 households which
11 comprised 2 percent of the County's households.)
- 12
- 13 • Chapter 2.0-2 population trends in Pinole shown from the US Department of
14 Finance 2006, which should be corrected to show the latest California
15 Department of Finance estimates. Also add 2005 data to the graph.
- 16
- 17 • Chapter 2.0-6 Units Added, added 55 new housing units in 2007-08, most of
18 which were the DeNova projects of which included 19 affordable units.
- 19
- 20 • Chapter 2.0-7 about household income that may need to be updated and be
21 compared with 2009 data.
- 22
- 23 • Chapter 2.0-9, third paragraph from the bottom where the last sentence
24 should read "commercial rehabilitation program provides zero and low
25 interest loans to within Redevelopment Agency (RDA) project areas."
- 26
- 27 • Chapter 2.0-11, in addition to the deletion of the word "shores" on the last
28 paragraph, the sentence beginning Pinole Shores Business Park related to
29 WestCAT bus yards, business offices and storage facilities, should include
30 the statement "and is a licensed industrial office park."
- 31
- 32 • Chapter 2.0-13, to be updated to reflect the Fiscal Year 09-10 budget which
33 should be available this month.
- 34
- 35 • Chapter 2.0-20, under Employment Trends second paragraph to include "the
36 number of new jobs generated by the Kaiser facility was 150."
- 37
- 38 • Chapter 2.0-21, to reflect the closure of Doctor's Hospital as a significant
39 incident in 2006 and to reflect the fact that Pinole residents had expressed a
40 desire for businesses and restaurants in Old Town Pinole.
- 41
- 42 • Chapter 3.0 Maps, Figure 3.2 and others, to show an "area" boundary, with
43 figures to be corrected and renumbered.
- 44
- 45 • Chapter 3.0-1, add a sentence that mentions that construction related to

1 Phase I of Pinole Creek Restoration Project is scheduled for 2010, due to the
2 State's inability to provide awarded grant funds.

- 3
- 4 • Chapter 3.0-24, noted reference to 2301 San Pablo Avenue and Mixed Use
5 Project and it was noted that the contemplated or planned project was a
6 purely retail project at this point.
- 7
- 8 • Chapter 3.0-1, reference to square miles and planning area needed to be
9 confirmed and be consistent throughout the document.
- 10
- 11 • Chapter 3.0-2, second bullet, second full paragraph, reference to Old Town
12 Shopping Center that should be corrected to be more specific.
- 13
- 14 • Chapter 3.0-13, Table 3.2, make margins bigger to be more readable.
- 15
- 16 • Chapter 3.0.2, clarify the old Bank of Pinole building.
- 17
- 18 • Chapter 3.0-15, Under SOI and Pinole City limits, second paragraph,
19 "LAFCO [Local Agency Formation Commission] also provides similar service
20 with other public service boundaries such as water and fire districts." Last
21 sentence, "Any request to amend.... requires LAFCO approval." LAFCO to
22 be shown all caps.
- 23
- 24 • Chapter 3.0-23, top paragraph, the snapshot of San Pablo Avenue to be
25 more specific and to reflect that the thrift store was out of business. A new
26 photo to be included or to indicate the vacant thrift shop.
- 27
- 28 • Chapter 3.0-24, Add Pinole Senior Village. Under the second bullet, to add
29 the text "where the development of utilized properties was completed."
- 30
- 31 • Chapter 3.0-24, RDA programs, the second sentence, "within the RDA or
32 project area" to be used consistently throughout ..." provides loans and
33 grants for ...structures, and striking the rest of the sentence.
- 34

35 Ms. Ratcliffe suggested that Commissioners forward additional comments as soon
36 as possible to PMC or to Mr. Rhodes who would forward the comments to PMC.

37

38 In response to Commissioner Banuelos' reference to the narrowing of San Pablo
39 Avenue as part of the Specific Plan, Mr. Davidson stated that PMC was looking for
40 direction on that point. He emphasized that Specific Plan content would be subject
41 to change based on Steering Committee direction.

42

43 **H. CITY PLANNER'S/COMMISSIONER'S REPORT:**

- 44
- 45 1. Review of Planning Department Application Submittal Requirements

1
2 Ms. Hersch stated that the Commission had expressed concern about the Planning
3 Department application submittal requirements at its last meeting.
4

5 Mr. Rhodes noted that the quality of the submittal of the King Valley Restaurant
6 application had prompted the discussion.
7

8 Commissioner Banuelos noted that there were some requirements that would not
9 be applicable in all cases. He asked if there was a short version, to which Ms.
10 Hersch explained that there were handouts based on entitlements. Those individual
11 handouts were at the building counter and in “.pdf” format on the City’s website, with
12 specifics depending upon the entitlement.
13

14 Commissioner Banuelos commended the current version of the submittal
15 requirements but offered the following comments:
16

- 17 • Referred to the McGee house and suggested that site plan and survey
18 issues had been buried in the requirements. He did not see a reference to
19 an actual and recent property survey;
- 20 • Referred to the design review category and noted that colored pictures used
21 to be required. He suggested that colored renderings be identified and
22 required and that existing and to be remodeled elements be delineated.
- 23 • Verified that sprinkler systems did not need to be delineated on landscape
24 plans in the planning level and would be required at the plan check level.
- 25 • Verified that in certain cases story poles would be required to evaluate
26 height.
- 27 • Requested that the various requirements at different levels be identified,
28 such as a tiered approach, or administrative versus Planning Commission
29 approval.
- 30 • Suggested for elevations that mechanical screens be included for
31 commercial buildings.
32

33 Commissioner McGoldrick verified with staff that soils reports were required for
34 projects of a certain threshold, as shown in the document.
35

36 Ms. Hersch advised that the Building Inspector required soils reports for plan check.
37
38

39 2. Follow up on Planning Commission’s role for Design Review entitlements 40

41 Ms. Hersch explained that at the last hearing some concern had been expressed for
42 design review, purview and detailed level of review. She noted that when the
43 Design Review Board (DRB) was disbanded, the Planning Commission already had
44 design review approval authority. Design issues were and are at the discretion of
45 the Commission.

1
2 Mr. Rhodes advised that the Zoning Ordinance update would identify the authority
3 for different design review project types.

4
5 Chair Kurrent recommended administrative as opposed to Planning Commission
6 requirements for sign review.

7
8 For Commission reports, Commissioner Toms reported that the McGee house on
9 Pinole Valley Road was for sale and the work was not yet complete, to which Ms.
10 Hersch stated that the Building Inspector had been made aware of the
11 Commission's concerns. When asked, she did not believe that the City had
12 recorded anything against the property.

13
14 Commissioner Bender referred to the AT&T faux tree and commented that the color
15 of the faux tree was unnatural and did not appear consistent with the submittal that
16 had been approved by the Commission.

17
18 Ms. Hersch stated that more detail needed to be included on the "tree" including
19 more leaves although she acknowledged that it did not look as the construction
20 drawings had implied although there was an error that was being worked out.

21
22 Mr. Rhodes stated with respect to communications that the Praxair Draft EIR
23 comment period had been extended from July 13 to August 27, 2009 at 5:00 P.M.
24 The environmental document would be utilized by the City as part of the use permit
25 process if the County approved the project.

26
27 Commissioner Toms stated that she would recuse herself from any discussion on
28 that topic.

29
30 **I. COMMUNICATIONS: None**

31
32 Ms. Ratcliffe took this opportunity to distribute the items of information to members
33 of the General Plan subcommittees, including the document, an appendix and a
34 glossary, and the three-page memorandum highlighting issues. Each element
35 included a matrix at the back to help identify changes between existing and
36 proposed draft goals, policies and implementation measures.

37
38 Commissioner Banuelos advised that he would not be at the August 10 meeting.

39
40 **J. NEXT MEETING: Steering Committee Meeting, July 27, 2009**
41 **Planning Commission Regular Meeting August 10, 2009**

42
43 **K. ADJOURNMENT: 10:00 P.M.**

44
45 Transcribed by:

1
2
3
4

Anita L. Tucci-Smith
Transcriber