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

September 27, 2010

THE PLANNING COMMISSION

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

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Bender, Brooks, Martinez-Rubin, Chair McGoldrick,
Sekins, Toms

Commissioners Excused: Kurrent

Staff Present: Winston Rhodes, Planning Manager
Scott Davidson, PMC Consultants
Pam Johns, PMC Consultants
Ananya Choudhuri, PMC Consultants
Kit Faubion, Deputy City Attorney

C. CITIZENS TO BE HEARD

1. None.

D. CONSENT CALENDAR:

1. Planning Commission Meeting Minutes from August 23, 2010

Commissioner Toms noted that p.2, lines 6 &7, be struck from the minutes to more accurately portray testimony provided.

MOTION to approve: Toms SECONDED: Martinez-Rubin APPROVED
6-0

2. Planning Commission Meeting Minutes from September 13, 2010

MOTION to approve: Brooks SECONDED: Toms APPROVED
5-0-1

1
2 **E. PUBLIC HEARINGS**
3

4 1. *General Plan Amendment (GPA 09-01) and Rezone (RZ 10-01)*
5

6 **Requests:** Consideration of a General Plan Amendment to comprehensively
7 update the City of Pinole General Plan including all elements
8 except the Housing Element; consideration of a Rezoning involving
9 a proposed Three Corridors Specific Plan for portions of San Pablo
10 Avenue, Pinole Valley, and Appian Way within the City of Pinole as
11 well as consideration of an update of Title 17 of the Municipal Code
12 including a comprehensive update to the City of Pinole Zoning
13 Code. Review of a Program Environmental Impact Report (EIR)
14 (SCH#2009022057) that analyzes the environmental impacts of the
15 proposed General Plan Update project components and the
16 accompanying requests.
17

18 PLANNING MANAGER, WINSTON RHODES, presented the staff report dated
19 September 27, 2010. He recommended that the Commission adopt the resolutions
20 recommending approval to the City Council to certify the Program EIR, adopt the
21 General Plan Update, Three Corridor Specific Plans, and Zoning Ordinance
22 update.
23

24 Mr. Rhodes highlighted a letter received on September 27 prior to the meeting from
25 SyWest Development, owner of the Pinole Ridge Shopping Center on Fitzgerald
26 Drive. The letter included a request that the property retain Regional Commercial
27 zoning and be excluded from the Specific Plan Area.
28

29 He noted another letter received from Deborah Hair, a property owner and
30 business owner in Pinole, who supports a 50 ft. height limit in Old Town.
31

32 He also noted a letter received from Inge Lundegaard, the property owner of 2553
33 San Pablo Avenue, supporting the proposed Residential Mixed Use (RMU) zoning
34 with several modifications to Table 6.1 of the Specific Plan that list allowable uses
35 for the San Pablo Avenue corridor. The letter requested that cottage industry
36 artisan/light industrial uses be permitted by right in the RMU Zoning District that bed
37 & breakfast uses be allowed by right with no requirement that ground floor uses be
38 limited to commercial uses. Additionally, she requested in the letter that cottage
39 industry artisan/light industrial uses be permitted by right in the Residential Mixed
40 Use (RMU) Zoning District.
41

42 SCOTT DAVIDSON, PMC CONSULTANTS, provided a Power Point
43 presentation dated September 27, 2010 addressing the General Plan Update,
44 and the Three Corridors Specific Plan. He provided an overview of changes
45 made to the documents based on Steering Committee and citizen input.
46

1 ANANYA CHOUDHURI, PMC CONSULTANTS, provided an overview of the
2 Final Environmental Impact Report.

3
4 PAM JOHNS, PMC CONSULTANTS, provided a Power Point presentation of the
5 highlights of the Zoning Ordinance and the Subcommittee recommendations for
6 modifications.

7
8 Mr. Rhodes noted for the record that the proposed narrowing of San Pablo Ave.
9 from four lanes to two lanes, is a conceptual idea, and is not a fully designed
10 project. By including this conceptual idea in the Circulation Element and within
11 the Specific Plan, it allows the City to pursue grants to study this concept further
12 at a later date. After further study of the concept and how the existing right-of-
13 way could be reallocated, formal approvals from the City Council would be
14 required before any construction could commence including defining a project for
15 inclusion within the City's Capital Improvement Program and securing necessary
16 funding.

17
18 Commissioner Toms asked if SyWest Development's proposed land use
19 changes had been reflected on the exhibits provided.

20
21 Mr. Rhodes explained that the changes had not yet been made as the letter was
22 received earlier in the day, but that the changes would be made if recommended
23 for approval by the Planning Commission.

24
25 Commission Martinez-Rubin asked about the ability to use discretion on higher
26 density projects and the proposed maximum 50 ft. height limit in the Old Town.

27
28 Mr. Davidson explained that the taller height limit can accommodate projects that
29 accomplish community objectives (e.g., higher density residential development
30 which helps the City meet its Regional Housing Needs Allocation, or projects
31 seeking to obtain LEED certification more easily).

32
33 Commissioner Sekins asked where the proposed change from a 35 ft. height limit
34 to a 50 ft. limit derived.

35
36 Mr. Davidson explained that the existing height limit for Old Town Pinole varies
37 between 35 and 50 ft. depending on location. The recommended height limit of
38 40 ft. would avoid creating non-conforming structures.

39
40 PUBLIC HEARING OPENED.

41
42 HENRY CLEMES, 2050 Buena Vista Drive, thanked everyone for their time and
43 effort in the update process. He noted that he was in attendance to discuss the
44 zoning of the properties at 655 & 665 San Pablo Ave. The sites are proposed to
45 be rezoned Residential Mixed Use. He asked that the sites be rezoned to
46 Commercial Mixed Use as they are currently used for commercial purposes and

1 there are no intentions to develop the site for residential use. He also noted the
2 proximity to light industrial uses along this area of San Pablo Avenue.

3
4 INGE LUNDEGAARD, 2553 San Pablo Ave., referenced the letter she had
5 provided which was included as an attachment to the report. She supported the
6 lane narrowing on San Pablo Ave. She noted that single-family residential uses
7 are not permitted in the RMU zone and thought this might be an error. She
8 referenced other inconsistencies on the land use tables which she noted as
9 potential errors in need of correction.

10
11 ROY SWEARINGEN, 2700 Doidge Ave., explained that the Chamber of
12 Commerce thought that the proposed lane narrowing on San Pablo Ave., had
13 been removed from the Specific Plan. Based on the current draft, this conceptual
14 idea remains and he suggested that this be noted more publicly. He also noted
15 that he does not support windmills being constructed in the City.

16
17 JESSICA LAUGHLIN, SyWest Development, 150 Pelican Way San Rafael,
18 requested that the Pinole Ridge Shopping Center owned by SyWest remain
19 Regional Commercial and be omitted from the Appian Way Specific Plan. She
20 noted that based on the proposed Code changes and Specific Plan, existing
21 uses at the shopping center would require conditional use permits and make
22 other uses non-conforming.

23
24 PUBLIC HEARING CLOSED.

25
26 Commissioner Toms asked if staff and the consultant had noted Ms.
27 Lundegaard's noted inconsistencies and if they were prepared to correct as
28 appropriate.

29
30 Mr. Rhodes noted that he made notes of the referenced errors.

31
32 Ms. Johns explained that there are some intentional differences and unique
33 treatments for each Specific Plan Corridor based on differing conditions. She
34 noted that she did not find any error and explained that the citywide allowable
35 uses outside the Specific Plans differ from the allowable uses within the Specific
36 Plans.

37
38 Commissioner McGoldrick noted that the Steering Committee must consider the
39 proposed change at 655 & 665 San Pablo Ave. from Residential Mixed Use
40 (RMU) to Commercial Mixed Use (CMU).

41
42 Mr. Rhodes recommended that this change would be appropriate and seems
43 consistent with the surrounding area existing land uses.

44
45 The Steering Committee had no concern associated with changing the site
46 zoning to CMU.

1
2 Commissioner McGoldrick referenced the proposed omission and zone change
3 for the Pinole Ridge Shopping Center.

4
5 The Steering Committee had no issue with changing the site to Regional
6 Commercial and omitting the shopping center from the Appian Way Specific
7 Plan.

8
9 Commissioner McGoldrick asked for additional discussion to address Mr.
10 Swearingen's concerns regarding the Chamber of Commerce and the proposed
11 narrowing of San Pablo Ave.

12
13 Mr. Rhodes that on August 11, 2010, he distributed that latest draft materials to
14 the Chamber of Commerce and the Draft General Plan contained the proposed
15 lane narrowing of San Pablo Ave. To date, he had not received a comment letter
16 from the Chamber of Commerce though he had on-going outreach with the
17 Chamber. He also noted that additional business owners provided support for the
18 lane narrowing at the September 13, 2010 workshop.

19
20 Mr. Rhodes reiterated that the proposed narrowing of San Pablo Ave. from four
21 through lanes (2 in each direction) to three lanes (two through lanes and third
22 turning lane), is a conceptual idea, and is not a designed project. By including
23 this conceptual idea in the Circulation Element, it allows the City to study this
24 concept further at a later date. Upon further studying of the concept, formal
25 approval from the City Council, and inclusion in a future Capital Improvements
26 Program would be needed, and funding would be needed before construction
27 could occur.

28
29 Commissioner Toms asked for more dialogue with the Steering Committee about
30 the proposed road narrowing of San Pablo Ave. She noted Willow Pass Rd. in
31 Bay Point, where a narrowing had been implemented, and noted that it required
32 constant monitoring and coordination with Contra Costa County Public Works.
33 She questioned the transition location of Oak Ridge Road as the western
34 chokepoint and thought the chokepoint should be further west at Appian Way.

35
36 Commissioner Brooks noted the testimony provided at the previous workshop in
37 support of road narrowing and agreed that the concept should remain in the Draft
38 Circulation Element.

39
40 Commissioner Sekins noted that the road narrowing remains a concept and that
41 that should be clarified when the document is brought before Council. He also
42 expressed concern about the future finances to for road narrowing construction.
43 He agreed that Appian Way would be a good choke point. He also asked if there
44 should be footnotes included with the policy idea explaining the procedure for
45 further review, financial dedication, and considering the chokepoint be located at
46 Appian Way.

1
2 Commissioner Toms noted that the financials of any proposed policy for
3 infrastructure changes would be considered before project inclusion in any
4 Capital Improvements Program.

5
6 Commissioner Martinez-Rubin asked that additional detail be provided to explain
7 the necessary steps for future review, implementation, and project budgeting.

8
9 Mr. Davidson suggested adding additional language to Section 5.0-10 regarding
10 the conceptual lane narrowing of San Pablo Ave.

11
12 The Steering Committee supported the policy idea of reviewing San Pablo Ave.
13 road narrowing at a later date. They also supported the idea of making the choke
14 point closer to Appian Way.

15
16 **Motion to approve Resolution 10-18 recommending that the City Council**
17 **approve EIR Certification:**

18
19 **MOTION: Toms SECONDED: Bender APPROVED: 6-0**

20
21 Commissioner Bender asked for clarification about the Old Town Design
22 Guidelines and if it would be carried forward with the Specific Plan.

23
24 Mr. Rhodes explained that it would be retained and amended to be consistent
25 with the Specific Plan, if approved and that he had contacted former City Planner
26 Dowsell about the document history.

27
28 **Motion to approve Resolution 10-19 recommending that the City Council**
29 **approve for the Draft General Plans and to include the SyWest property as**
30 **Regional Commercial as well as approve the addendum material.**

31
32 **MOTION: Brooks SECONDED: Bender APPROVED 6-0**

33
34 Commissioner Bender noted a typo on Table 6.3 of Exhibit A on page 1 of 17
35 showed a maximum Old Town height of "0 ft. or 43 stories". It should read 40 feet
36 or 3 stories. He had reservations about provisions that might allow a 50 ft. height
37 but was willing to support the maximum height limit of 40 feet with findings
38 needed to go up to 50 feet.

39
40 Mr. Rhodes noted that any new future development project would be evaluated
41 by the Planning Commission during Design Review.

42
43 **Motion to approve Resolution 10-20 recommending that the City Council**
44 **approve the Specific Plans and adopt a new comprehensive Zoning**
45 **Ordinance and to exclude the Pinole Ridge Shopping Center owned by**
46 **SyWest Development from the Appian Way Specific Plan sub-area and**

1 change the zoning to Regional Commercial and to change the designation
2 of 655 & 665 San Pablo Ave. from Residential Mixed Use to Commercial
3 Mixed Use.

4
5 MOTION: Martinez-Rubin SECONDED: Brooks APPROVED 6-0
6

7 F. OLD BUSINESS:

8
9 None.

10
11 G. NEW BUSINESS:

12
13 None.

14
15 H. CITY PLANNERS REPORT

16
17 Mr. Rhodes indicated that he spoke with Public Works staff regarding the curb cuts
18 and driveway approach at 3318 Pinole Valley Rd. The property title has been
19 clouded and that Public Works staff has been working with the property owner and
20 contractor to resolve the matter.

21
22 Mr. Rhodes noted that the Duncan Canyon Vesting Tentative Map application has
23 been deemed incomplete.

24
25 I. COMMUNICATIONS

26
27 None.

28
29 J. NEXT MEETING

30
31 October 12, 2010 at 7:00 P. M.

32
33 K. ADJOURNMENT: 9:30 P.M.

34
35 Transcribed by: Associate Planner Anne Hersch