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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**

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November 8, 2010

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<b>THE PLANNING COMMISSION</b>
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**A. CALL TO ORDER: 7:00 P.M.**

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

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

Commissioners Excused: Sekins

Staff Present: Anne Hersch, Associate Planner  
Mary Drazba, Economic Development Manager

**C. CITIZENS TO BE HEARD**

1. None.

**D. CONSENT CALENDAR:**

1. Planning Commission Meeting Minutes from September 27, 2010

Commissioner McGoldrick noted that pg.5, line 41, omit the word "to."

**MOTION to approve: Brooks      SECONDED: Toms      APPROVED 6-0**

**E. PUBLIC HEARINGS**

**1. DR 10-04: Loading Docks Buildings C & D Pinole Shores Business Park**

**Request:** Consideration of a new loading dock between Buildings C & D at  
the Pinole Shores Business Park

Associate Planner, ANNE HERSCH, presented the staff report dated November  
8, 2010.

1  
2 Commissioner Kurrent asked about existing sewer access as he noted that there  
3 is an existing access in the proposed loading dock area. He also inquired about  
4 any drainage impacts related to site grading and expressed concern about  
5 delivery truck oil leakage.  
6

7 Ms. Hersch explained that the Public Works Department will evaluate the grading  
8 plan for drainage impacts and sewer access. She noted that C3 compliance was  
9 required for the project and that that addresses run off issues.

10  
11 Commissioner Brooks expressed confusion about the parking supply.  
12

13 Ms. Hersch explained that the site was parked with 207 parking spaces. With the  
14 proposed loading docks, ten (10) parking spaces would be removed, resulting in  
15 197 parking spaces for the entire site.  
16

17 Commissioner Brooks also asked about ADA accessibility being affected by the  
18 proposed changes.  
19

20 Ms. Hersch explained that the proposed plans had been reviewed by Building  
21 Department staff as well as the Public Works Director and ADA paths appear to  
22 remain in compliance.  
23

24 Commissioner Brooks asked if a final landscape plan would return to the  
25 Planning Commission for review.  
26

27 Ms. Hersch explained that the proposed landscape areas would match the  
28 existing plant scheme. Since no new plantings were identified, a condition for  
29 landscaping was not included. She also noted that the Municipal Code allows  
30 administrative review of landscape plans for minor changes.  
31

32 Commissioner Bender noted that he did not see references to the proposed paint  
33 scheme.  
34

35 Ms. Hersch noted that this was an oversight that was not caught.  
36

37 PUBLIC HEARING OPENED.  
38

39 KERS CLAUSEN, structural engineer and project designer, thanked City staff for  
40 the quick turnaround and review. He noted that he had inspected the sewer line  
41 and a new inlet will be installed though no other significant changes were  
42 necessary. He noted that ADA ramps are provided between the two buildings  
43 and will be displaced as part of the loading dock design.  
44

45 He expressed concern about Condition # 12 and a submittal to the Fire  
46 Department. He requested that this be deferred to a later date.

1  
2 PUBLIC HEARING CLOSED.  
3

4 Commissioner Brooks recommended that the square railing currently provided on  
5 the north side of Building D be matched on the loading dock. He also expressed  
6 concern about the proposed paint scheme.  
7

8 Commissioner Brooks also asked if a Condition could be imposed to require the  
9 loading docks to be removed after the current tenancy has vacated.  
10

11 Ms. Hersch explained that that condition is not legally feasible. She explained  
12 that the Design Review entitlement is a one-time approval and is satisfied after  
13 the final Building inspection. Additionally, the Conditions Covenants and  
14 Restrictions (CCRs) would be amended to reflect the loading docks, new  
15 occupancy and parking changes. The CCRs run with the land and could be  
16 amended by a future property owner is desired.  
17

18 Commissioner Toms clarified that the Buildings were in contract for purchase.  
19 When the property owner decides to sell the property, it would be marketed with  
20 the loading set-up. If a business decided to purchase and eliminate the loading  
21 docks, that request would return to Planning Commission for review and  
22 consideration.  
23

24 Commissioner Kurrent agreed with Commissioner Toms and noted that the  
25 loading dock could add value to the property for future sale. He also questioned  
26 the applicant's intentions about deferral of any Fire sprinkler plans.  
27

28 Mr. Clausen stated that the typical time for satisfying Fire Department  
29 requirements could take upwards of a month. He asked that in the interest of  
30 time, this submittal be deferred to the tenant improvement application process.  
31

32 Commissioner Bender indicated that this condition is standard and does not  
33 extend to the purview of the Planning Commission as it is a Building and Fire  
34 Department issue.  
35

36 Ms. Hersch indicated that the Condition should remain to insure that the matter  
37 has been satisfied.  
38

39 Commissioner Toms suggested that Condition 12 be amended to include "unless  
40 a deferred submittal is granted by the Fire Chief."  
41

42 Commissioner Bender agreed with Commission Brooks that the paint scheme  
43 should be modified to match the existing paint scheme for the project.  
44

45 Mr. Clausen stated that he would be happy to work with staff to modify the paint  
46 scheme via a Condition of Approval.

1  
2 Commissioner Toms suggested that staff and the applicant work together to  
3 choose a color from the existing available palette.  
4

5 Commissioner Martinez-Rubin asked why the applicant selected blue paint for  
6 the canopy.  
7

8 Mr. Clausen explained that the blue color was chosen to have contrast.  
9

10 Ms. Hersch noted that the original color palette could be provided to the  
11 applicant. She suggested that a Condition be included for the record.  
12

13 Commissioner Brooks reiterated his concern for the proposed railing to match the  
14 existing railing on the north side of Building D.  
15

16 Commissioner Bender expressed agreement with a square profile for the railing  
17 to match the existing railing.  
18

19 Mr. Clausen noted that he was amenable to this proposed Condition.  
20

21 Ms. Hersch summarized the recommended Conditions:  
22

- 23 • Amend Condition 12 to include language "unless a deferred submittal is  
24 granted by the Acting Fire Chief"
- 25 • The paint scheme shall be modified to match the existing palette and shall  
26 be submitted for review and approval by Planning staff.
- 27 • The proposed railing for the loading docks shall be modified to square  
28 tubing to match the existing railing on the north side of Building D.  
29

30 Mr. Clausen recommended that the paint color condition specify that it be shown  
31 on subsequent building permit construction plans.  
32

33 **Motion was made to approve DR 10-04 with additional conditions as**  
34 **follows:**  
35

- 36 • Approve the project with changes to Condition 12 noted by staff.
- 37 • Choose the color of canopy from existing palette for staff review and  
38 approval and identify the proposed color on the plans.
- 39 • Match profile of railings between the two buildings in the loading dock area  
40 with railings on the north side of Building D.  
41

42 **MOTION: Toms**

**SECONDED: Brooks**

**APPROVED: 6-0**

43  
44 **F. OLD BUSINESS:**  
45

1 None.

2  
3 **G. NEW BUSINESS:**

4  
5 None.

6  
7 **H. CITY PLANNERS REPORT**

8  
9 Ms. Hersch shared the photo simulation provided earlier in the day by AT&T for  
10 CUP 08-02, a faux tree at 1106 San Pablo Ave.

11  
12 Commissioner Brooks stated that the appearance is improved but he still has  
13 concerns about faux monopole trees.

14  
15 Commissioner Bender indicated that the simulation is better but the tree still  
16 appears to be diseased.

17  
18 Commissioner Toms expressed concern about the tree shape. She noted that  
19 stealthing is intended to disguise the facility and in this case it draws more attention  
20 to the facility. She recommended that the branches directly below the antennas be  
21 extended further out for increased foliage and a more natural appearance.

22  
23 Commissioner McGoldrick noted that the original photo simulations and examples  
24 of other trees look nothing like what exists at the site. She asked what feedback  
25 would be required for the purposes of the evening's meeting.

26  
27 Ms. Hersch explained that the Commission could provide feedback indicating that  
28 tree was improving or additional improvements could be directed for the applicant  
29 to pursue.

30  
31 Commissioner Bender asked about status of the Building Permit.

32  
33 Ms. Hersch explained that a subsequent fee would have to be paid as the permits  
34 are expired.

35  
36 Commissioner Bender agreed with Commissioner Toms and indicated that  
37 additional branch length should be considered.

38  
39 Commissioner Martinez-Rubin noted that the tree appears to look like an unnatural  
40 hybrid. She asked if more vertical branches could be installed to mimic the  
41 appearance of the antennas.

42  
43 Ms. Hersch explained that she could inquire further with the contractor about  
44 adding more branching and the orientation of additional branches.

45  
46 Commissioner Toms also suggested that additional height be considered for

1 stealthing purposes.  
2

3 Ms. Hersch noted that a precedent had been established and that the new Zoning  
4 Code does allow for additional height that could allow for a new design.  
5

6 Commissioner Brooks suggested that if changes cannot be made to the satisfaction  
7 of the Commission, there would be little point in directing further modifications.  
8

9 Commissioner Bender stated that AT&T should accommodate the Commission's  
10 request as a matter of principle.  
11

12 Commissioner Brooks indicated that he thought the facility was operational and  
13 asked if a final inspection was performed.  
14

15 Ms. Hersch explained that a PG&E release was never granted and that hold had  
16 been placed in the City's system pending resolution of the outstanding issues. She  
17 noted again that the permit was indeed expired.  
18

19 *By consensus, the Commission directed staff to return to the applicant with*  
20 *direction to consider additional height for stealthing purposes and also consider a*  
21 *more tapered, "cone like" appearance.*  
22

23 Commissioner Bender suggested that future telecommunications applicants be  
24 required to provide background information about considered stealthing options  
25 and an explanation as to why a faux tree is preferred. He described his concern  
26 about an 85-foot tall faux tree antenna recently installed in Hercules visible from Old  
27 Town Pinole.  
28

29 Commissioner Toms described how the stealthing effort can have the reverse  
30 effect and call attention to a facility and that various options need to be considered.  
31

32 Ms. Hersch noted that as part of application completeness, staff and the  
33 Commission could require background information about alternative stealthing  
34 options that were considered besides what may be proposed.  
35

36 The Commission agreed with Commissioner Bender's suggestion that this  
37 information be included.  
38

39 **I. COMMUNICATIONS**  
40

41 Commissioner Brooks asked why only three rental inspections were shown on  
42 the Building Permit list.  
43

44 Ms. Hersch noted that she could ask Community Preservation about the actual  
45 number of inspections that occurred in October. She noted that rentals are kept  
46 separate from the building permit software unless a permit had been issued.

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**J. NEXT MEETING**

December 13, 2010 at 7:00 P. M.

**K. ADJOURNMENT: 8:00 P.M.**

Transcribed by: Associate Planner Anne Hersch