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DRAFT
MINUTES OF THE REGULAR MEETING OF
THE PINOLE PLANNING COMMISSION

March 28, 2011

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THE PLANNING COMMISSION

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

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

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

Staff Present: Winston Rhodes, Planning Manager

C. CITIZENS TO BE HEARD

1. None.

D. CONSENT CALENDAR:

1. Planning Commission Meeting Minutes from February 28, 2011

Commissioner Kurrent requested two changes to the minutes. The first change related to the Commission discussion of the Target Alcohol Sales Use Permit (CUP 10-09) on lines 19 and 20 of page 2. He requested that the minutes reflect the specific concern about the project's proximity to Crespi Jr. High School expressed by project opponents. The second change related to page 3 of the minutes and the need to reflect the discussion about the concern associated with having one proposed toilet on the premises during large events given the potential sanitary issues this may pose since food preparation would take place at these events. Commissioner Kurrent asked that additional text regarding the discussion be added on line 35 of page 3 and that the Commission decided not to address this concern through project conditions of approval but instead directed staff to examine the issue further during building plan check review.

Chair McGoldrick mentioned additional changes affecting the discussion of the Culinary Business Center Use permit. Three changes were requested. Complete the sentence on line 17 of page 3, include the corrected use permit of 11-01 on line 4 of page 4, and add the words "or more" following 45 on line 12 of page 4. The motion was made to approve the minutes as amended.

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3 **MOTION to approve: Kurrent SECONDED: Toms APPROVED 5-0-2 with**
4 **Commissioners Martinez-Rubin and Sekins abstained.**

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6 **E. PUBLIC HEARINGS**

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8 **1. CUP 11-03: Dumlao's Martial Arts Use Permit**

9
10 Planning Manager Winston Rhodes presented the staff report for the use permit
11 request to allow relocation and expansion of the Martial Arts and Fitness studio
12 within Pinole Vista Shopping Center at 1506 Fitzgerald Drive.

13
14 Commission members inquired about bicycle parking to be provided in
15 conjunction with the use and the best location for the van that will be used to
16 transport school age martial arts class participants to the project site, and the
17 best location for employees to park to maximize convenience for customers.

18
19 **PUBLIC HEARING OPENED**

20
21 Mr. Roland Dumlao spoke in support of the use permit request and the need for
22 more space and desire for more visibility for his business. He also mentioned the
23 beneficial commercial impact of his business on this portion of the Pinole Vista
24 Shopping Center.

25
26 The Commission asked about the proposed hours of operation and the potential
27 need for Sunday hours, the demand for bicycle parking, auto trip reduction, the
28 applicant's comfort level with the proposed condition of approval relating to noise
29 control measures, and the after school pick-up room.

30
31 The following eight individuals spoke in support of Dumlao's martial arts studio,
32 the positive impact of the facility on individuals and families, and urged approval
33 of the use permit request to allow expansion and relocation of the business to
34 Fitzgerald Drive: Mr. Brady Clemmons, Ms. Sonia Naraja, Mr. Mario Schuchart
35 Jr., Ms. Suzette Rojas, Ms. Diana Becton, Mr. Joseph Comacho, Ms. Debbie
36 Clemmons, and Mr. James Johnson III.

37
38 **PUBLIC HEARING CLOSED**

39
40 The Commission discussed the days of the week referenced in proposed
41 Condition of Approval #4 and the desire to provide greater flexibility for the future
42 operation of the use, the location where employees would park, the location
43 where the transport van would be parked and how parking capacity could be
44 efficiently managed. At the request of the Commission, the applicant clarified that
45 the van is not parked on site for extended periods. The Commission also

1 cautioned about the need for drivers to park and escort children into the studio
2 rather than stopping in drive aisles and causing traffic circulation problems.
3

4 **Motion was made to approve CUP 11-03 with condition of approval**
5 **changes as follows:**
6

- 7 • Change COA #4 to read: *“The regular operating hours of the use shall be*
8 *7:00 AM to 10:00 PM each day.”*
9
- 10 • Modify COA #11 read: *“All martial arts and fitness studio employees, with*
11 *the exception of the student transport vehicle(s) during pickup and drop*
12 *off, shall be required to park in the least convenient auto parking spaces*
13 *furthest away from any retail entrance south and west of the project site*
14 *within the Pinole Vista Shopping Center to maximize efficient parking*
15 *utilization.”*
16

17 **MOTION: Toms**

SECONDED: Bender

APPROVED: 7-0

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19 **F. OLD BUSINESS:**

20
21 **1. Design Review (DR 10-02): Signage for Chase Bank**

22
23 Planning Manager Winston Rhodes presented the staff report for the Chase
24 Bank signage request to allow a 26 signs at the approved Chase Bank under
25 construction at 1541 Fitzgerald Drive.
26

27 Mr. David Ford spoke in support of the signage design review request and urged
28 flexibility in how to reduce the proposed sign area by 35 square feet to stay under
29 the allowable 250 square feet.
30

31 The Commission asked about page 29 of the proposed signage submittal and
32 expressed concern about up-lighting depicted on the visual simulation. Mr. Ford
33 was unaware of page 29 and mentioned that this did not need to be included in
34 the sign request. The Commission questioned the need for the number of parking
35 lot signs proposed.
36

37 **PUBLIC HEARING CLOSED**

38
39 The Commission discussed the maximum sign area allowed and whether a
40 deviation from the maximum sign area standard could be approved by the
41 Planning Commission and under what circumstances.
42

43
44 Commissioner Brooks made a motion to approve the Chase sign request with the
45 elimination of page 29 from the sign request.

1
2 **MOTION: Brooks**

SECONDED: Bender

APPROVED: 7-0

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6 **G. NEW BUSINESS:**

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8 None.

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10 **H. CITY PLANNERS REPORT**

11
12 Mr. Rhodes informed the Commission about two recently approved tree removal
13 permits at 3272 Estates Avenue and 2190 Sarah Court as required by the Zoning
14 Code. A discussion ensued about the current tree removal requirements, what is
15 considered a protected tree, what was the intent of the original ordinance. Due to
16 different recollections about what was originally adopted. The Commission asked
17 staff to research the history of the original ordinance and agreed by consensus to
18 have the Development Review Subcommittee review the ordinance in more detail
19 and provide further direction.

20
21 Mr. Rhodes mentioned the recent administrative approval of the signage for Tina's
22 Café at 2300 San Pablo Avenue and explained why it was handled administratively
23 while Chase Bank's signage was reviewed by the Planning Commission. He
24 described the types of signs that were approved and which signs would be
25 illuminated. He mentioned that building's awning would soon be replaced.

26
27 **I. COMMUNICATIONS**

28
29 Commissioner Kurrent inquired about the status of applications for the
30 Commission seats that were expiring April 30th. Staff confirmed that all
31 Commissioners whose terms are scheduled to end have applied for
32 reappointment and that the Council has yet to decide the next step in the
33 selection process. Mr. Rhodes mentioned that the City Clerk would be contacting
34 Commissioners that have recently reapplied to confirm next steps and arrange
35 for interviews if necessary.

36
37 **J. NEXT MEETING**

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39 April 25, 2011 at 7:00 P.M.

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41 **K. ADJOURNMENT: 9:45 P.M.**

42
43 Transcribed by: Planning Manager, Winston Rhodes