

AGENDA FOR THE



CITY OF PINOLE PLANNING COMMISSION SPECIAL MEETING

**Monday, April 25, 2016
7:00 P.M.**

City Council Chambers, 2131 Pear Street, Pinole, CA 94564

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a City meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the Development Services Department at (510) 724-9014. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Assistant listening devices are available at this meeting. Ask staff if you desire to use this device.

CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine and non-controversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Commissioner(s) wishes to discuss a consent item, it will be removed from the Consent Calendar and taken up in order after the last item under New Business.

PROCEDURE FOR CONSIDERING AN AGENDA ITEM:

At the beginning of an item, the Chair will read the description of that item as stated on the Agenda. The City Staff will then give a brief presentation of the proposed project. The Commission may then ask Staff questions about the item.

For those items listed as Public Hearings, the Chair will open the public hearing and ask the applicant if they wish to make a presentation. Those persons in favor of the project will then be given an opportunity to speak followed by those who are opposed to the project. The applicant will then be given an opportunity for rebuttal.

The Public Hearing will then be closed and the Commission may discuss the item amongst themselves and ask questions of Staff. The Commission will then vote to approve, deny, approve in a modified form, or continue the matter to a later date for a decision. The Chair will announce the Commission's decision and advise the audience of the appeal procedure.

Note: No Public Hearings will begin after 11:00 p.m. Items still remaining on the agenda after 11:00 p.m. will be held over to the next meeting.

CITIZEN PARTICIPATION:

Persons wishing to speak on an item listed on the Agenda may do so when the Chair asks for comments in favor of or in opposition to the item under consideration. After all of those persons wishing to speak have done so, the hearing will be closed and the matter will be discussed amongst the Commission prior to rendering a decision.

Prior to speaking on an item, you must fill out one of the speaker cards (available at the back of the Council Chambers) and hand it to the Secretary. If a number of persons wish to speak on an item, the Chair may limit each speaker to a set time period in which to address the Commission.

Any person may appeal an action of the Planning Commission or of the Planning Manager by filing an appeal with the City Clerk, in writing, within ten (10) days of such action. Following a Public Hearing, the City Council may act to confirm, modify or reverse the action of the Planning Commission or Planning Manager. The cost to appeal a decision is \$803.

Note: If you challenge a decision of the Commission regarding a project in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in writing delivered to the City of Pinole at, or prior to, the public hearing.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE AND ROLL CALL

C. CITIZENS TO BE HEARD:

The public may address the Planning Commission on items that are within its jurisdiction and not otherwise listed on the agenda. Planning Commissioners may discuss the matter brought to their attention, but by State law (Ralph M. Brown Act), action must be deferred to a future meeting. Time allowed: five (5) minutes each.

C. CONSENT CALENDAR:

- 1. Planning Commission Meeting Minutes from March 14, 2016**
- 2. Planning Commission Meeting Minutes from March 28, 2016**

D. PUBLIC HEARINGS:

F. OLD BUSINESS: None

G. NEW BUSINESS:

- 1. Gateway Medical Center Workshop to discuss project components of a proposed approximately 9,182 square foot ophthalmology surgical center building on an approximately 1.1-acre site.**

Applicant: Agape LLC
1214 McDonald Drive
Pinole, CA 94564

Location: Southeast corner of the intersection of Pinole Valley Road and Henry Avenue.

Project Planner: Winston Rhodes

- 2. Selection of Development Review Subcommittee Members for 2016-2017**

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

I. **COMMUNICATIONS:**

Suggestions for Planning Commissioner Greatness

J. **NEXT MEETING:**

Planning Commission Regular Meeting, May 23, 2016 at 7:00PM

K. **ADJOURNMENT**

POSTED: April 21, 2016

Winston Rhodes, AICP
Planning Manager

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DRAFT

**MINUTES OF THE
PINOLE PLANNING COMMISSION**

March 14, 2016

A. CALL TO ORDER: 7:09 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Bender, Brooks, Tave*, Thompson, Wong, Chair
Kurrent
*Commissioner Tave arrived at 7:12 P.M.

Commissioners Absent: Martinez-Rubin

Staff Present: Winston Rhodes, Planning Manager

C. CITIZENS TO BE HEARD:

There were no comments.

D. CONSENT CALENDAR:

1. Planning Commission Meeting Minutes from February 22, 2016

Chair Kurrent requested a modification to Lines 5 through 9 of Page 3, as follows:

IRMA RUPORT, 1131 Marionola Way, Pinole, whose home is located adjacent to the complex, expressed concern with the community notification area, and suggested that the notification area should be in the front of the complex to better advise the apartment community of the rules and regulations and to include police and other contact information.

Commissioner Thompson requested a modification to Lines 41 through 43 of Page 3, as follows:

The Commission emphasized the need to be advised of the schedule of meetings with the residents in advance, and to be provided a summary of the resident meetings held without City notification. (Thompson)

MOTION to approve the Planning Commission Meeting Minutes for February 22, 2016, as modified.

1 **MOTION: Brooks**

SECONDED: Bender

APPROVED: 6-0-1
 ABSENT: Martinez-Rubin

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4 **E. PUBLIC HEARINGS: None**

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6 **F. OLD BUSINESS: None**

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8 **G. NEW BUSINESS:**

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10 **1. General Plan Housing Element Required Text Amendments Workshop**

11
12 Planning Manager Winston Rhodes presented the staff report dated March 14,
13 2016; responded to questions on the required text amendments for the General
14 Plan Housing Element for emergency shelters, transitional housing, residential
15 density bonuses, supportive housing and employee housing; and identified the
16 proposed text amendments to be prepared for consideration by the Planning
17 Commission during a public hearing scheduled for March 28, 2016, at which time
18 the Planning Commission would be asked to make a recommendation to the City
19 Council. He detailed the background of Assembly Bill (AB) 2222 and the need for
20 the required text amendments to ensure consistency with State law; and clarified
21 that the residential density bonuses and the affordability period had been
22 increased from 30 to 55 years for all density bonus units.

23
24 Mr. Rhodes also clarified that transitional housing was intended for six months or
25 more; a safety net for lower income households, children, elderly, those with
26 special needs, and a priority for the State. Given the elimination of redevelopment
27 agencies, the City did not have local housing funds to assist or encourage the
28 production of transitional, long term, or other affordable types of housing.

29
30 Mr. Rhodes advised that the Planning Commission Development Subcommittee
31 had discussed the possibility of extending the more traditional timeframe for
32 transitional housing, and staff could discuss that issue with the City's Housing
33 Consultant to determine whether the timeframe could be extended. He also
34 clarified the differences between supportive and transitional housing.

35
36 Mr. Rhodes added that the Housing Element included a list of affordable units with
37 affordability controls that would expire at different times. When asked he
38 mentioned that, Contra Costa County Housing Authority affordable housing
39 vouchers assist eligible households that can transport vouchers to different
40 communities and do not help the City meet its Association of Bay Area
41 Governments (ABAG) Regional Housing Needs Allocation (RHNA).

42
43 Mr. Rhodes also defined the City's market rate housing; Moderate, Low, Very Low
44 and Extremely Low Income housing; reiterated the intent of the zoning text
45 amendments to be compliant with the State mandate; and identified the ABAG

1 RHNA numbers for the City of Pinole for the period of 2014 to 2022 for Moderate,
2 Low, Very Low, and Extremely Low Incomes.

3
4 There were no comments from the public.

5
6 The Planning Commission discussed the Required Text Amendments and offered
7 the following comments and/or direction to staff:

- 8
9
- 10 • Concern expressed with the Residential Density Bonus increasing the
11 affordability period from 30 to 55 years; with a request that staff check to
12 determine whether that was a regulation followed by all jurisdictions and
13 whether other jurisdictions had extended that period; with concerns
14 expressed for those who might live beyond the 55-year affordability period.
 - 15 • Concern with the elimination of redevelopment agencies removing the City's
16 ability to take ownership to build and retain affordable units and the fact the
17 City had to encourage developers to build affordable housing, which was
18 not occurring; although there had been some discussions for alternate
19 mechanisms such as bonding to replace redevelopment.
 - 20 • Acknowledgement that the required text amendments were required to
21 ensure consistency with State law; recognition of how employee housing
22 shaped the Richmond and Hercules areas
- 23
24

25 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

26
27 Mr. Rhodes reported that Form 700 was due by the end of March and urged
28 Commissioners to submit the forms to the City Clerk as soon as possible; and
29 reported that the regular Planning Commission meeting on May 23 would be a
30 joint meeting with the City Council.

31
32 Chair Kurrent announced that Dean Allison, the former City Engineer had
33 unexpectedly passed away. He also announced that his father Joseph Kurrent
34 had recently passed away. He asked that the Planning Commission meeting
35 adjourn in memory of Dean Allison and Joseph Kurrent.

36
37 Members of the Commission and staff shared memories of Mr. Allison. A
38 memorial for Mr. Allison had been scheduled for Sunday, April 17 from 4:00 to
39 7:00 P.M., with a location yet to be confirmed.

40
41 **I. COMMUNICATIONS: None**

42
43 **J. NEXT MEETING:**

44
45 The next meeting of the Planning Commission will be held on Monday, March

1 28, 2016 at 7:00 P.M.

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3 **K. ADJOURNMENT: 8:28 P.M *In Memory of Dean Allison and Joseph Kurrent.***

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5 Transcribed by:

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8 Anita L. Tucci-Smith
9 Transcriber

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DRAFT

**MINUTES OF THE
PINOLE PLANNING COMMISSION**

March 28, 2016

A. CALL TO ORDER: 7:05 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Bender, Brooks, Martinez-Rubin, Thompson, Wong,
Chair Kurrent

Commissioners Excused: Tave

Staff Present: Winston Rhodes, Planning Manager
Veronica Tam, Veronica Tam & Associates

C. CITIZENS TO BE HEARD:

JAMES TILLMAN, Pinole, thanked staff for posting meeting agendas in the local newspaper although he noted the day of the week shown for the subject meeting was inaccurate.

Chair Kurrent added that the meeting agenda had been posted as a special meeting, although the meeting was a regular meeting of the Planning Commission.

D. CONSENT CALENDAR: None

E. PUBLIC HEARINGS:

1. Zoning Code Text Amendment 16-02: Housing Element Implementation

Request: A Zoning Code Amendment to change text in Chapters 17.22, 17.20, 17.62 and 17.38 of Title 17 of the Municipal Code modifying the standards for the location of emergency shelters, supportive housing, transitional housing, employee housing, and the provisions for density bonus units within the City of Pinole consistent with State law.

Applicant: City of Pinole
2131 Pear Street

1 Pinole, CA 94564

2
3 **Location:** Citywide

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5 **Project Staff:** Winston Rhodes, Planning Manager

6
7 Planning Manager Winston Rhodes presented the staff report dated March 28,
8 2016, and reported the Planning Commission had previously held a workshop on
9 March 14, 2016 to discuss the required text amendments for the General Plan
10 Housing Element. The Commission had also been provided copies of a
11 PowerPoint presentation by Veronica Tam, Veronica Tam & Associates, which
12 included additional information from the City Attorney provided after the
13 completion of the staff report specifically related to Emergency Shelters, Section
14 17.62.30, Development Requirements, as modified further by the City Attorney, to
15 read:

- 16 A. *Location and Separation. Emergency shelters of more than ten*
17 *(10) persons shall be situated more than three hundred (300) feet*
18 *from any other similar program and other emergency shelter.*

19
20 Mr. Rhodes identified the Median Income for Contra Costa County at \$93,500, the
21 maximum Moderate Income for a household of four at \$112,200, and the
22 maximum Low Income household at \$71,600; detailed the City's affordable
23 housing requirements; the City's emergency shelter 30-bed maximum limitation
24 based on the City's homeless count; and noted there was little funding for new
25 emergency shelters with no requests or inquiries for emergency shelters in Pinole
26 since 2010. He also identified the Association of Bay Area Governments (ABAG)
27 Regional Housing Needs Allocation (RHNA) for Pinole; the requirement that zoning
28 text amendments be consistent with State law; detailed the City's Inclusionary
29 Housing Ordinance and affordability requirements; and the eligibility for a density
30 bonus, incentives and concessions which would be part of the Affordable Housing
31 Agreement under the purview of the City Council.

32
33 VERONICA TAM, Veronica Tam & Associates, presented the PowerPoint to
34 identify the implementation requirements as part of the Housing Element, to be
35 consistent with State law; walked through the proposed text amendments for the
36 General Plan Housing Element for emergency shelters, transitional housing,
37 residential density bonuses, supportive housing and employee housing; detailed
38 the requirements of Senate Bill (SB) 2222 Housing Density Bonus; and responded
39 to questions from the Planning Commission on the presentation.

40
41 **PUBLIC HEARING OPENED**

42
43 JAMES TILLMAN, Pinole, spoke to transitional housing and expressed concern
44 with the potential for halfway homes, the number of transitional units that would be
45 allowed in the community, the impacts from transitional housing, and asked that

1 zoning and land uses include regulations on how to handle those issues. He also
2 expressed concern with the use of the term transitional housing as opposed to
3 halfway houses; questioned who would police or monitor residents of transitional
4 housing; asked whether there could be restrictions imposed as to where such
5 housing would be allowed in the community; sought assurance the City would be
6 protected legally; cited the impacts related to transitional housing; and sought
7 assurance West County would not become a dumping ground for those needing
8 transitional housing.
9

10 Mr. Rhodes clarified that the focus of the text amendment and State law for
11 transitional housing was to regulate the physical units themselves based on
12 objective criteria as opposed to occupant characteristics. The State had worked
13 to disperse transitional housing to avoid concentrations in one county or one
14 portion of a county. There were also State requirements for licensing which
15 allowed for code enforcement, if necessary.
16

17 Ms. Tam added the proposed text amendments were related to the physical
18 structure which the City had authority to regulate under its Zoning Code, and which
19 would not eliminate the requirements to comply with county, state and federal
20 regulations pertaining to a specific use.
21

22 PUBLIC HEARING CLOSED

23
24 The Planning Commission discussed the Zoning Text Amendments and offered
25 the following comments and/or direction to staff:
26

- 27 • Concern expressed with the density bonus incentives and concessions with
28 a desire for a clean definition of the potential "give and take."
29 Staff clarified the purpose of the density bonus incentives and the
30 concession examples provided.
31
- 32 • Recognized that the text amendments were required to comply with State
33 law, with developments to be reviewed on a case-by-case basis.
34
- 35 • Shared the concerns about transitional housing but recognized it was a
36 broader issue than just the impacts from certain occupants.
37
- 38 • When asked, staff clarified the examples for emergency shelters; the zones
39 which currently allowed emergency shelters; and identified the required City
40 Office / industrial Mixed Use (OIMU) zone which allowed emergency
41 shelters with some operational criteria and development standards pursuant
42 to State law.
43

44 **MOTION** to adopt Resolution 16-03, a Resolution of the City of Pinole Planning
45 Commission Recommending that the City Council Approve a Zoning Code

1 Amendment Modifying Chapters 17.22, 17.20, 17.62, and 17.38 of Title 17 of the
2 Municipal Code to Modify Provisions for Emergency Shelters, Transitional
3 Housing, Supportive Housing, Employee Housing and Density Bonus Consistent
4 with State Law (ZCA 16-02); subject to the modifications on the text provided
5 at the dais and to Page 2 of the resolution to reflect the date of adoption as
6 *March 28, 2016*, not January 28, 2016.

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8 **MOTION: Bender SECONDED: Brooks APPROVED: 6-0-1**
9 **ABSENT: Tave**

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11 Chair Kurrent identified the 10-day appeal process in writing to the City Clerk
12 subject to the applicable appeal fee.

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14 **F. OLD BUSINESS: None**

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16 **G. NEW BUSINESS: None**

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18 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

19
20 Mr. Rhodes reported on the receipt of a remodel application for the Wendy's and
21 Wingstop located at Fitzgerald Drive and Appian Way, to be presented to the
22 Planning Commission Development Review Subcommittee prior to Planning
23 Commission review.

24
25 Mr. Rhodes took this opportunity to formally recognize John Bender for his
26 service on the Planning Commission and expressed his appreciation for his
27 commitment to the community and his expertise as an architect.

28
29 The Planning Commission thanked John Bender for his service and architectural
30 expertise on the Planning Commission.

31
32 Commissioner Bender cited a document which had been prepared long ago by a
33 former planner for the Old Town area, which he suggested should have been
34 referenced and recognized in the General Plan Update as related to the
35 integration of designs of buildings in the Old Town fabric.

36
37 Mr. Rhodes also updated the Planning Commission on an appeal of the CVS
38 project, and mentioned that the appeal had been withdrawn. A Planning
39 Commission Subcommittee would be reviewing the color for the faux clock tower
40 option. Staff was waiting for photo simulations from the applicant to finalize the
41 design detail. He also clarified that the document referenced by Commissioner
42 Bender was the Old Town Design Guidelines, which had been found late in the
43 General Plan Update process, but which had been retained and incorporated by
44 reference in the Three Corridors Specific Plan; a document the City could rely
45 upon when reviewing buildings in the Old Town area. He added there would be

1 a need to review the Old Town Design Guidelines in the future to ensure
2 consistency with the Specific Plan.
3

4 Commissioner Bender also spoke to the Pinole Creek Trail at Fernandez Park,
5 which had a gate in the path preventing one from driving into the park. He had
6 provided photographs of several vehicles parked on the creek trail blocking the
7 pedestrian paths and asked City staff to look into the situation.
8

9 **I. COMMUNICATIONS: None**

10
11 **J. NEXT MEETING:**

12
13 The next meeting of the Planning Commission will be held on Monday, April 25,
14 2016 at 7:00 P.M.
15

16 **K. ADJOURNMENT: 8:33 P.M**

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18 Transcribed by:

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21 Anita L. Tucci-Smith
22 Transcriber
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Memorandum

TO: PLANNING COMMISSION MEMBERS

FROM: WINSTON RHODES, AICP, PLANNING MANAGER

SUBJECT: SELECTION OF PLANNING COMMISSION DEVELOPMENT REVIEW SUBCOMMITTEE MEMBERS

DATE: April 25, 2016

BACKGROUND

In December of 2010 the Planning Commission authorized the creation of an ad hoc Planning Commission Subcommittee to assist with coordination between staff and the full Commission as needed. The Commission agreed that a three person subcommittee out of the total seven member Commission would be beneficial. The Commission unanimously decided to appoint Commissioners Toms, Brooks, and Chair Bender to serve on the subcommittee with Commissioner Martinez-Rubin serving as an alternate and have the membership of the subcommittee reevaluated annually to provide an opportunity to rotate membership. In April 2012 the Commission unanimously decided to appoint Commissioners Bender, Brooks, and Chair Martinez-Rubin to serve on the subcommittee with Commissioner Kurrent serving as an alternate. In May 2013 the Commission unanimously decided to appoint Commissioners Bender, Kurrent, and Chair Sekins to serve on the subcommittee with Commissioner Brooks serving as an alternate. In April 2014 the Commission unanimously decided to appoint Chair Brooks, Commissioner Toms, and Commissioner Kurrent to serve on the subcommittee with Commissioner McGoldrick serving as an alternate. Due to the one seat vacancy on the Planning Commission during 2014-2015 period the Subcommittee was compromised of Chair Brooks and Commissioner Toms with Commissioner Kurrent serving as an alternate to satisfy Brown Act requirements. Again due to one seat vacancy on the Planning Commission during the beginning of 2015-2016 period the Subcommittee was initially comprised of Chair Toms and Commissioner Bender with Commissioner Martinez- Rubin serving as an alternate. With the appointment of Chair Toms to the City Council, Vice Chair Kurrent joined the Subcommittee with Commissioner Bender and Commissioner Martinez-Rubin continuing to serve as an alternate.

The Subcommittee meets as needed at early stages of development projects to provide applicants with preliminary feedback or advise on planning policy matters. The Subcommittee has been very effective. The expertise of the Subcommittee members has been helpful and the presence of the Chair on the Subcommittee has been advantageous since staff has regular

communication with the Chair about upcoming planning projects and policy matters. The Commission may want to retain rotate this responsibility among different Commission members or only appoint one or two new members and an alternate to provide continuity between the existing Subcommittee members and the Subcommittee in 2016-2017.

NEXT STEP

Staff recommends that the Planning Commission appoint two or three members to serve on the Development Review Subcommittee and one alternate member.



Memorandum

TO: PLANNING COMMISSION MEMBERS
FROM: WINSTON RHODES, AICP, PLANNING MANAGER
SUBJECT: Gateway Medical Center Workshop
DATE: April 25, 2016

File: Design Review (DR 15-10) / Conditional Use Permits (CUP15-02)

Applicant:
Agape LLC
1214 McDonald Drive
Pinole, CA 94564

Property Owner:
City of Pinole

WORKSHOP PURPOSE

Review, discuss and provide feedback to Staff and applicant after holding a public workshop concerning the proposed Gateway Shopping Center major project components including:

- The Site Plan;
- Building Architecture
- Circulation & Parking
- Landscape Plan
- Other project topics subject to review by the Planning Commission

SITE LOCATION

The proposed Gateway Medical Center is located southeast of the intersection of Pinole Valley Road and Henry Avenue (APN: 401-211-033).

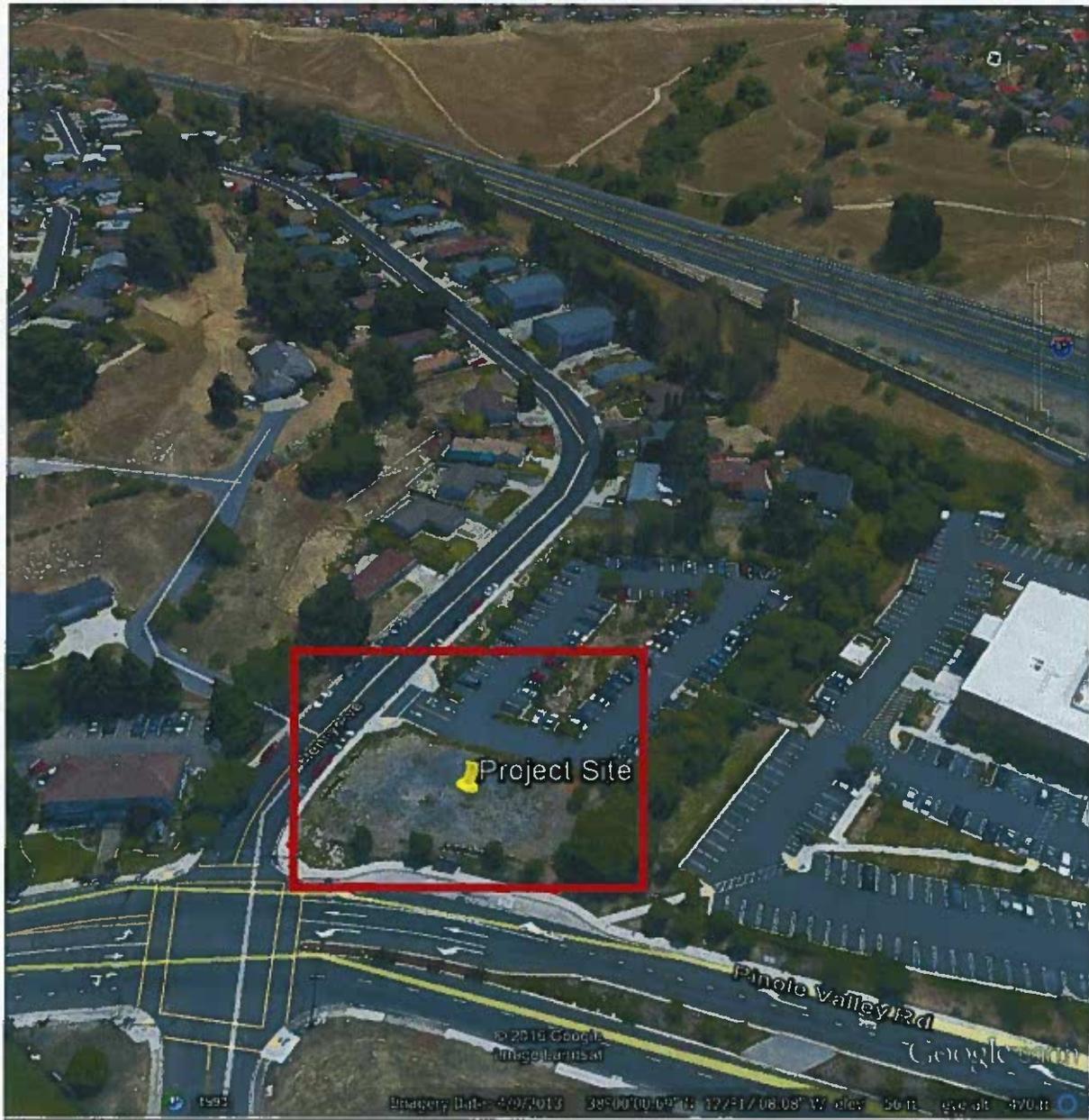


Figure 1. Site Location

Direction from Project Site	Land Use
North	Henry Avenue, Office, and Collins Elementary School
West	Pinole Valley Road and Approved Retail
South	Riparian Area, Medical Office and Approved Retail
East	Kaiser Medical Clinic and Interstate 80

PROJECT DESCRIPTION

The project involves the proposed construction of a new two-story medical office building on a partially developed corner property southeast of the intersection of Pinole Valley Road and Henry Avenue. The proposed building is approximately 9,182 square feet and includes ten new parking spaces to accompany 21 existing parking spaces.

Land Use Requests

The project will require the following land use approvals:

- A design review request to construct the new medical office building and accompanying improvements.
- A use permit request for a 6-space auto parking reduction in the otherwise required number of parking spaces as allowed by Chapter 17.48.060 B. of the Zoning Code.

The City's Municipal Code authorizes the Planning Commission to take final action on these land use requests.

BACKGROUND

The applicant desires to develop the new medical office building on property currently owned by the City of Pinole and purchase the property from the City of Pinole. The sale of the property requires State approval since the property was originally purchased by the City's Redevelopment Agency. The applicant has a long-standing medical practice within the City and wishes to stay in Pinole and develop a "state of the art" facility to better serve existing and future patients.

The project site was previously reviewed for development in 2005 in conjunction with the Kaiser Medical Center project and was planned for an approximately 5,000 square foot one-story medical office building. During the development of the Kaiser Medical Center south and east of the property, parking lot improvements were constructed on the project site in conjunction with a Kaiser employee parking lot accessed from Henry Avenue. In 2010, the City updated the General Plan, adopted the Three Corridor Specific Plan and updated the Zoning Code. The project site is within the Pinole Valley Road corridor included within the Three Corridors Specific Plan. The General Plan land use designation is Service Sub-area (SSA) and the Zoning for the property Office Professional Mixed Use (OPMU). The proposed surgery center is a permitted use in the OPMU Zoning District.

In August 2015, the applicant submitted the initial design for the proposed development. It was a two-story design totaling approximately 9,939 square feet and included a total of 29 parking spaces. This design was discussed with the City Council, as the property owner, in an informational presentation. Feedback from the City Council included reducing the size and bulk of the building, adding on-site parking, and changing the exterior colors and modifying the exterior finishes of the building. In response, the building height was reduced by six feet, the square footage was decreased by approximately 8%, two more parking spaces were added, and colors were modified to

better complement building colors of the Kaiser medical center and the approved Starbucks and Sprouts buildings.

In December 2015, the applicant submitted a development application for the Gateway Medical Center to the City. The Planning Commission Development Review Subcommittee met on January 21, 2016 to discuss the project site plan, architecture and landscape plan. The Development Review Subcommittee thought that the site plan was well-composed and that the architecture while very modern was very distinctive and was compatible with existing and planned new development in this "Gateway" portion of Pinole Valley Road. The Subcommittee did request further photo-simulation information to provide more information about the proposed height and bulk of the medical office building

DISCUSSION

The proposed medical office building will be used to for an ophthalmology surgical center. This would be an ambulatory surgical center performing outpatient services with no overnight stays. According to the applicant, the facility is designed specifically for a single practice consisting of ophthalmology surgical and medical office space. The location was selected to service the low-income and elderly population residing in Pinole and surrounding communities.

Operational Overview

The facility would be open Monday thru Friday with separate days reserved for exam days or surgical days. Exam days are anticipated to be four (4) days of the week. According to the applicant, during exam days the proposed facility would be open from 6:00 AM – 6:00 PM and would consist of 20-50 unique patient visits per day with an average duration of 45 minutes. Staffing on exam days would consist of seven (7) employees: one (1) Physician; two (2) Physician Assistants; and four (4) Administrative Support staff. Surgical Days are anticipated to be one (1) day of the week and consist of 12 unique patient visits per day. The average patient visit duration would last 60 minutes and be comprised of 10 minutes of surgery and 50 minutes for pre-operative / post-operative procedures. Staffing on surgical days would consist of seven (9) employees: one (1) Physician; one (1) Anesthesiologist; three (3) Surgical Assistants; two (2) Nursing staff; and two (2) Administrative staff.

Below is framework of the major physical site and project characteristics to help organize workshop discussion. A PowerPoint presentation will be provided at the meeting to include additional workshop information.

Site Plan

The site plan has evolved over several years of discussions between the applicant, staff, and the City Council. The configuration of the project site boundaries especially the riparian area south of the site, the existing Oak Trees along the western edge of the site, the parking lot improvements within the eastern portion of the site, and the petroleum pipeline easement within the northwest corner of the property have directly influenced the currently proposed design.

- **Pinole Creek Tributary**

Immediately south of the site is an unnamed tributary of Pinole Creek that flows west and runs into a culvert under Pinole Valley Road. The applicant is proposing to maintain the established approximately 10-foot open space buffer between the riparian vegetation and the existing parking lot edge with the proposed new building and parking lot expansion.

- **Kinder Morgan / Phillips 66 Pipeline**

The northwest corner of the project site includes an existing easement for an active high pressure Kinder Morgan and Phillips 66 petroleum product distribution pipeline. The pipeline easement limits project features that can be included within this area. At this time, it is not clear if all the proposed improvements (e.g. outdoor patio) within the pipeline easement will be permitted by Kinder Morgan and Phillips 66. The proposed building envelope is entirely outside the easement area.

- **Circulation and Parking**

Auto access to the project site is from Henry Avenue with transit access (bus line 16, 19, and JPX) immediately west of the site at the Pinole Valley Road frontage where there is bus turnout and rider shelter in place and an approved bus turnout to be built on the opposite side of Pinole Valley Road adjacent to the Sprouts Grocery Store that is now under construction. Pedestrian access is facilitated by existing public sidewalks as well as proposed new private walkways. The proposed project encourages bicycle use by including bicycle parking adjacent to the main building entrance on the east side of the building. The building includes a second ground floor access point within the lounge area near the northwest corner of the building. Exterior second-story access is from a stairway on the south side of the building.

Reciprocal vehicle access between the project site and the adjacent Kaiser property is currently in place to allow movement between the two separate parcels. However, reciprocal parking is not in place and Kaiser Permanente has not been interested in executing a reciprocal parking agreement. Consequently, signage will be necessary to advise parking lot users to park in either the designated Kaiser spaces or the parking spaces associated with the proposed new medical office building. Additionally, parking space ownership will need to be privately enforced to ensure Kaiser Employees park their vehicles on Kaiser Property and employees and visitors to the proposed medical building park vehicles within the project site.

The Zoning Code requires one parking space per 250 square feet for medical office uses. Based on the 9,182 square foot building size, 37 off-street auto parking spaces are required. The applicant is proposing 31 spaces. Consequently there is a shortfall of six (6) required parking spaces.

The Zoning Code allows a reduction in the otherwise required number of parking spaces through a conditional use permit. The conditional use permit process enables the Planning Commission to consider site-specific physical conditions and operational conditions of a proposed use and determine if the reduction in required parking is appropriate based on the intent of General Plan and Zoning Code. That is, parking alone is not intended to dictate development design but must be considered in order to meet expected on-site parking demand and provide for compatibility between existing and new development.

The criteria for approval of a reduction in on-site parking in this case requires Zoning Code standard conditional use permit findings to be made and three (3) out of four (4) of the parking reduction findings to be made in order to allow for the requested auto parking space reduction. The required findings are listed below.

Standard Conditional Use Permit Findings (from Section 17.12.140)

1. General. Conditional use permits shall be granted only when the Planning Commission determines that the proposed use or activity complies with all of the following findings:

a. The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title.

b. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city.

c. The site of the proposed use is physically suitable for the type, density and intensity of the use and related structures being proposed.

d. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and related structures are compatible with other land uses, transportation and service facilities in the vicinity.

Parking Reduction Findings (from Section 17.48.060)

Other Parking Reductions. Required parking for any use except a single-family dwelling, second dwelling unit, or two (2)-family dwelling may be reduced through approval of a use permit by the Planning Commission.

1. Criteria for approval. The Planning Commission will only grant a conditional use permit for reduced parking if it finds that the project meets all of the conditional use permit criteria in Section 17.12.140 (Conditional Use Permits) and that three (3) or more of the circumstances listed below are true.

a. The use will be adequately served by the proposed parking due to the nature of the proposed operation; proximity to frequent transit service; transportation characteristics of persons residing, working, or visiting the site; or because the applicant has undertaken a travel demand management program that will reduce parking demand at the site.

b. Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

c. The site plan is consistent with the objectives of the zoning district and incorporates features such as unobtrusive off-street parking placed below the ground level of the project with commercial uses above or enclosed parking on the ground floor.

d. The applicant has provided on-site parking for car share vehicles via a recorded written agreement between the landowner and the city that runs with the land. Agreement shall provide for proof of a perpetual agreement with a car share agency to provide at least one (1) car share vehicle on-site.

The applicant has proposed the following measures to reduce on-site parking demand:

-
- The subsidize 50% of the cost of public transit for employees who take the bus to and from work by offering an employee bus voucher program;
 - To arrange for an off-site parking location to encourage carpooling to the project site;and
 - To enter into an agreement with car share provider "Getaround" to designate 1 car share vehicle space.

The applicant estimates that approximately 1/3 of current patients take fixed route public transportation, 1/3 of patients take para-transit, and 1/3 of patients drive their personal vehicles and expect the same transportation pattern at this proposed site. A parking study is under preparation and will be provided to the Commission prior to action on the project later this year.

The Planning Commission should consider the current proposed size of the building as it relates to patient needs to evaluate suitability of the proposed parking supply and size of the building relative to the size of the project site.

Commission feedback on the proposed parking demand management measures and the use permit request is desired at this time.

Building Architecture and Design

The architecture for the project is a sleek modern design with horizontal as well vertical material changes and prominent articulated wall plane changes on all sides. It is a distinctive building on a visible corner at a signalized intersection and is intended to be a unique building design that is intended to provide a clean and professional impression to patients seeking service and traveling between I-80 and the Old Town area along Pinole Valley Road. The building has a proposed height of 30 feet and includes stucco, stone tiles, fiber cement on the exterior. The material changes include a glazed curtain wall system to facilitate natural light. The proposed material changes are present on all of the building elevations. The building material colors include shades of white, grey, and green echoing the materials and colors utilized on the Kaiser Medical Building and the approved Starbucks and Sprouts buildings. Additional color and material information for the building will be provided at the meeting.

The main building entrance is on the east elevation. A metal canopy with narrow circular support posts are proposed to help define the entrance and provide weather protection. A cantilevered second story is proposed to provide a covered walkway adjacent to the parking lot. The south elevation includes an exterior stairway clad with painted cement plaster to match the building skin. The west elevation includes a prominent and bold glazed curtain wall system and semi-circular outdoor patio area closest to the corner of the Pinole Valley Road and Henry Avenue. Further details about the patio materials are recommended. The applicant does intend to retain the existing historic Faria ranch stone-mounted plaque near the northwest corner of the property. The north elevation is highly articulated with the large plane changes visible from Henry Avenue.

The first floor of the building includes an expansive lobby and open visitor lounge area as well as two surgery operating rooms, a pre-operation / post-operation area, a waiting area, prepared food service area, an administrative office area, and staff lounge. The second story includes ten (10)

exam rooms, a doctor's office, nurse station, break room, waiting area, and what appears to be a "showcase" merchandise display area.

Commission feedback on the internal arrangement and allocation of space is requested due to the conditional use permit. The size of the building and the amount of core versus complimentary service space should be carefully evaluated.

Landscape Plan

The landscape plan includes the retention of all but three trees on the project site. A conceptual landscape plan is provided with potential tree, shrub and ground cover choices that are drought tolerant and well-suited to Pinole's climate. Much of the proposed new landscape material is proposed along the Pinole Valley Road and Henry public right-of-ways to complement existing trees and the riparian area south of the site.

STAFF RECOMMENDATION

Consider the submitted project information, staff information and public input and provide feedback to the applicant and staff about the proposed project design and amount of parking proposed to help facilitate desired changes and help ensure adequate information is available prior to a scheduled public hearing.

ATTACHMENTS

- Attachment A Project Plans Received 12/2/15
- Attachment B Amber Edwards 8/28/15,
Marty Lynch 11/13/15, and
Greg Jacobs 4/15/16 Correspondence Received
- Attachment C Proposed Color and Material Boards (to be provided at the meeting)

GATEWAY MEDICAL CENTER PINOLE VALLEY RD. AT HENRY AVE., PINOLE, CA 94564

ATTACHMENT A

DESIGN REVIEW PLANNING SUBMITTAL (DR 15-10 / CUP 15-02)

PROJECT INFORMATION		DRAWING INDEX	
OWNER:	AGAPE, LLC	ARCHITECTURE:	
APN:	401-021-033	T1	TITLE AND PHOTO
ZONING DISTRICT:	PINOLE VALLEY ROAD SPECIFIC PLAN OFFICE PROFESSIONAL MIXED USED (OPMU)	A1	SITE PLAN
LOT SIZE:	26,090 S.F.	A2	FIRST FLOOR PLAN
BUILDING S.F.:	9,182 S.F.	A3	SECOND FLOOR PLAN
CONSTRUCTION TYPE:	V-B	A4	EXTERIOR ELEVATIONS
AUTOMATIC SPRINKLERS:	YES	A5	EXTERIOR ELEVATIONS
NUMBER OF STORIES:	2	A6	PHOTO SIMULATIONS
REQUIRED PARKING:	1 PER 250 S.F. = 37 SPACES	A7	RENDERED PERSPECTIVES
		LEGEND	

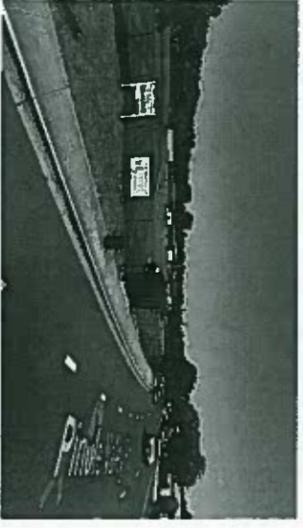
TAG NUMBER FOR CORRESPONDING VIEW



PROJECT LOCATION



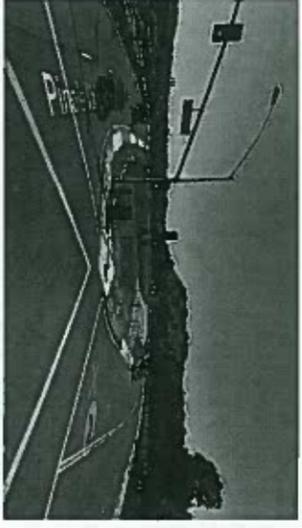
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(PINOLE VALLEY RD. AND HENRY AVE.)



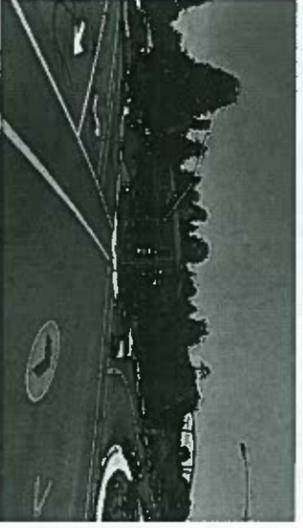
3 COLLINS ELEMENTARY
(PINOLE VALLEY RD. AND HENRY AVE.)



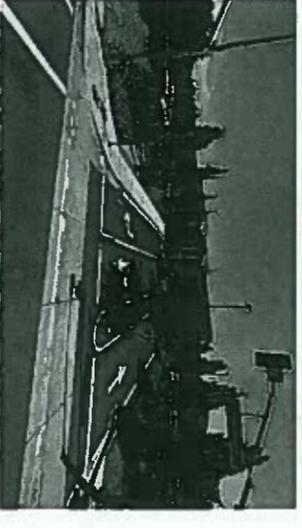
5 SINGLE-FAMILY RESIDENTIAL
(HENRY AVE.)



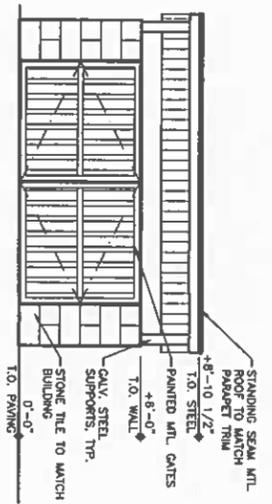
2 VACANT LOT
(PINOLE VALLEY RD. AND HENRY AVE.)



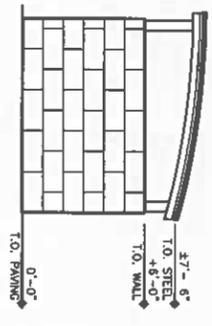
4 JULIE'S NAILS
(PINOLE VALLEY RD. AND HENRY AVE.)



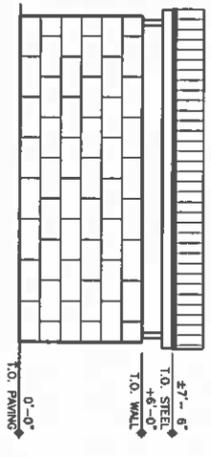
6 KAISER PERMANENTE PINOLE
MEDICAL OFFICES
(PINOLE VALLEY RD. AND HENRY AVE.)



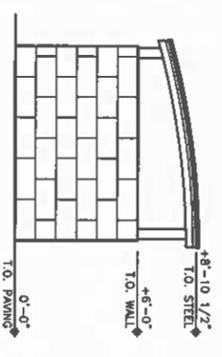
2 WEST ELEVATION
 TRASH ENCLOSURE 1/4"=1'-0"



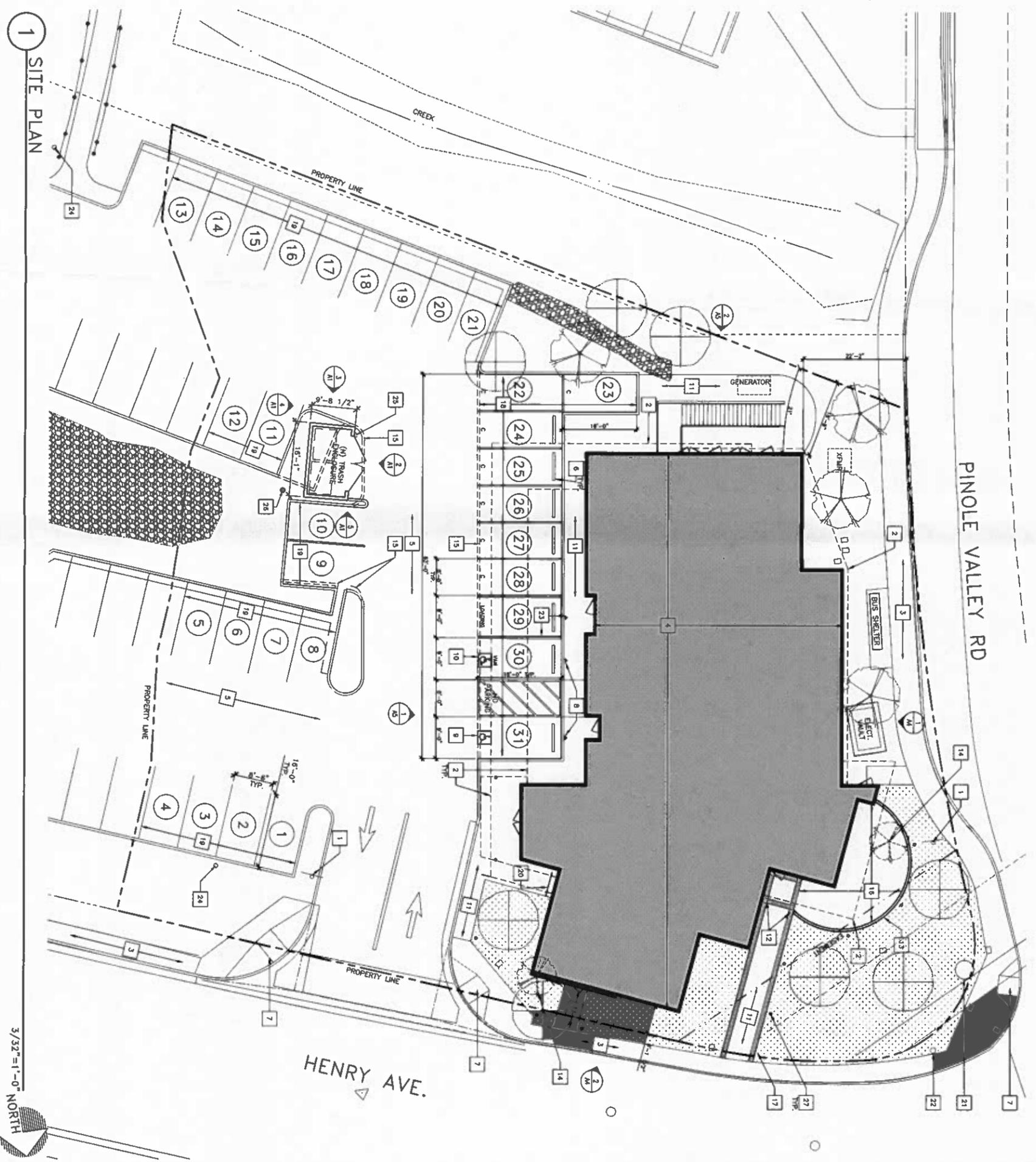
3 SOUTH ELEVATION
 TRASH ENCLOSURE 1/4"=1'-0"



4 EAST ELEVATION
 TRASH ENCLOSURE 1/4"=1'-0"



5 NORTH ELEVATION
 TRASH ENCLOSURE 1/4"=1'-0"

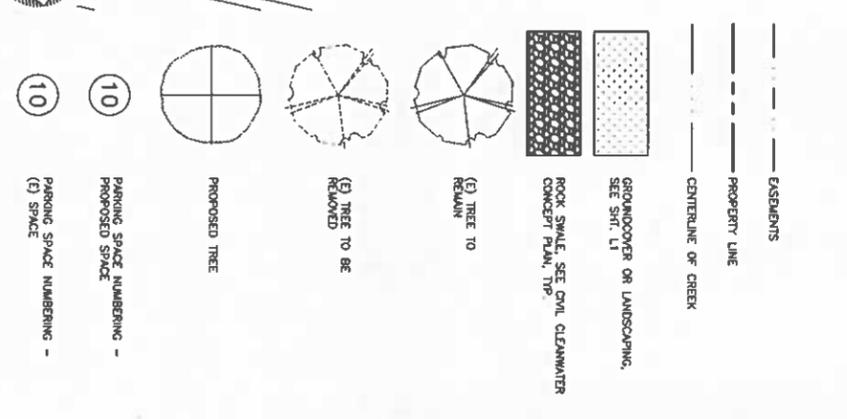


1 SITE PLAN
 3/32"=1'-0" NORTH

SPECIFIC NOTES

1. (E) SIGN
2. LINE OF ROOF, FLOOR, OR CANYON ABOVE, TYP.
3. (E) PUBLIC SIDEWALK
4. PROPOSED BUILDING FOOTPRINT
5. (E) ASPHALT PAVING
6. WHEELSTOP, TYP.
7. (E) ACCESSIBLE CURB RAMP
8. ACCESSIBLE PARKING SPACE
9. ACCESSIBLE PARKING SPACE
10. VAN ACCESSIBLE PARKING SPACE
11. CONCRETE WALKWAY
12. COLORED CONCRETE ACCENT STRIPING
13. CONCRETE WALL W/ ARTISTIC FINISH
14. (E) TREE TO BE REMOVED
15. (E) CURB TO BE REMOVED
16. PAINT
17. LOW PROFILE WALKWAY LIGHTING, SEE LIGHTING CALCULATIONS, TYP.
18. PROPOSED PARKING SPACES AND STRIPING
19. (E) PARKING SPACES AND STRIPING
20. BIKE RACK
21. (E) MONUMENT SIGN TO REMAIN
22. (E) FIRE HYDRANT TO REMAIN
23. DESIGNATED DROP-OFF AND PICK-UP PARKING SPACE WITH PAINTED CURB, STRIPING, AND SIGNAGE INDICATING MAXIMUM 15-MINUTE TIME LIMIT
24. (E) POLE MOUNTED SITE LIGHT FIXTURE TO REMAIN
25. (E) POLE MOUNTED SITE LIGHT FIXTURE TO BE RELOCATED
26. LOCATION OF RELOCATED (E) POLE MOUNTED SITE LIGHT FIXTURE
27. ILLUMINATED BOLLARD, TYP.

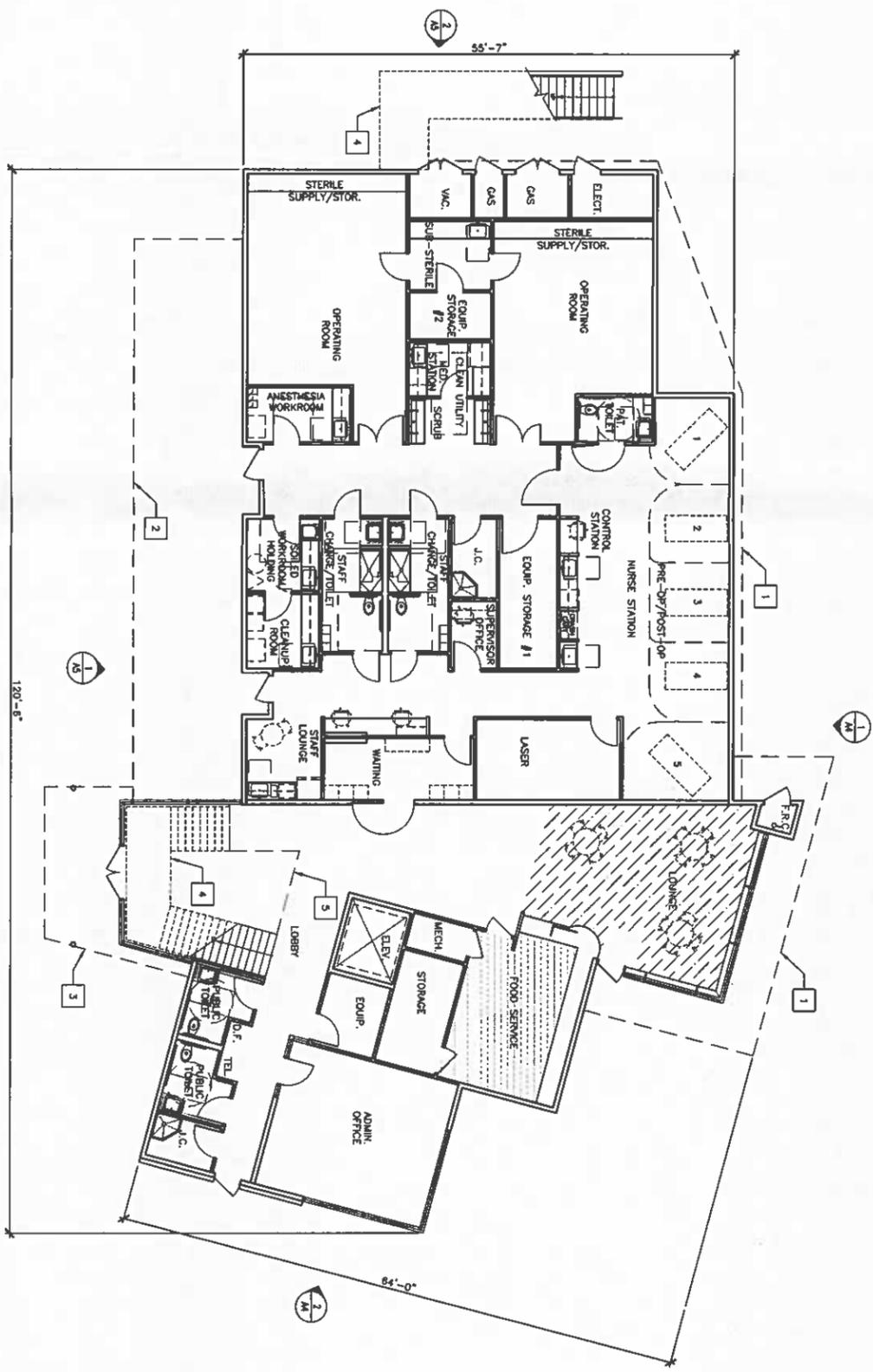
LEGEND



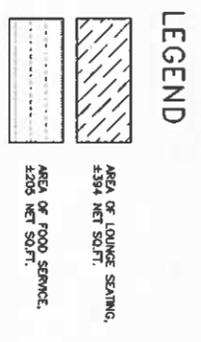


Cuschieri Horton Architects
 1475 S. Bascom Ave., Suite 204
 Campbell, California 95008
 408.371.8200 Fx 408.371.8201

1 FIRST FLOOR PLAN



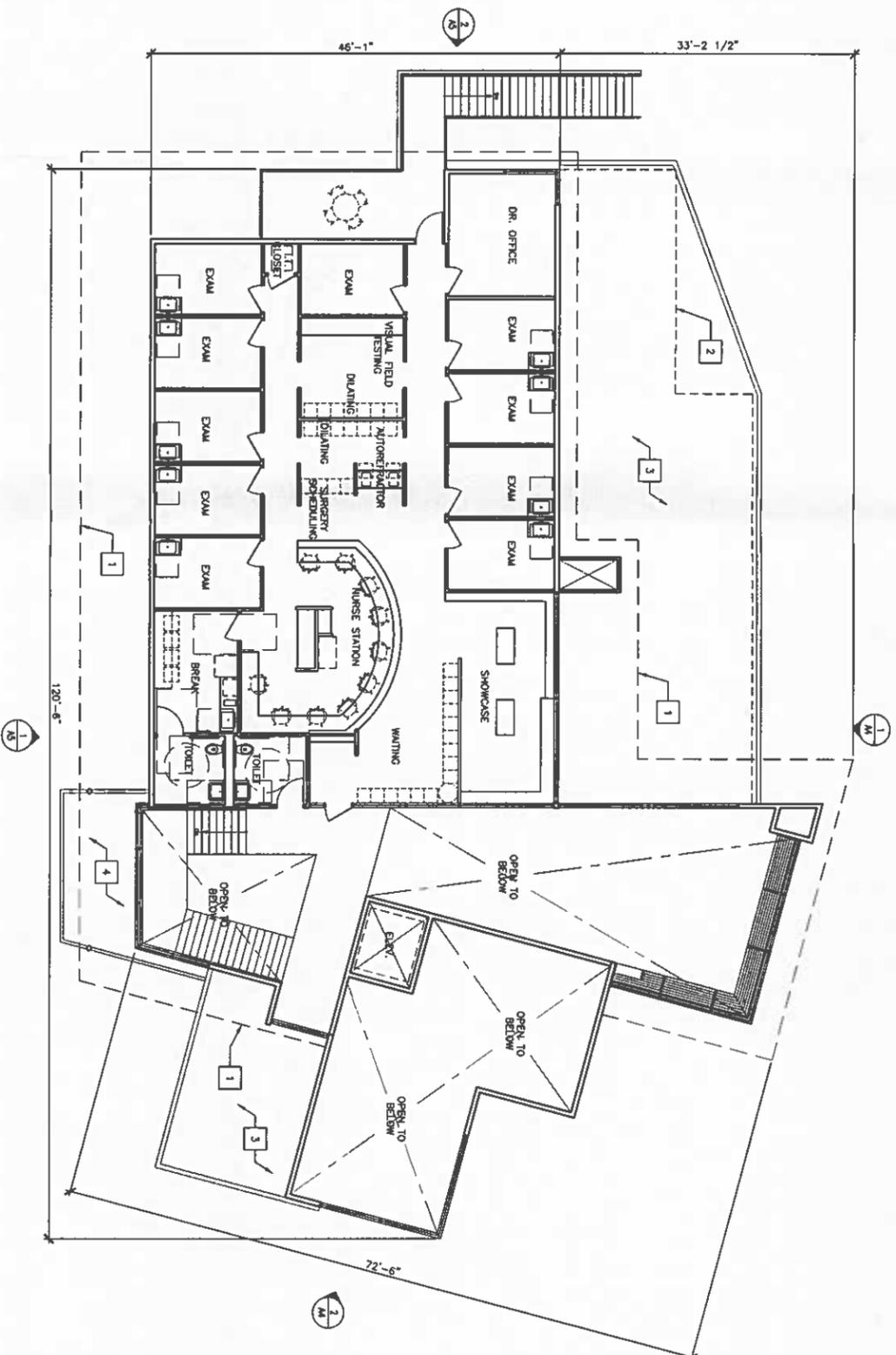
- SPECIFIC NOTES**
1. LINE OF ROOF ABOVE, TYP.
 2. LINE OF EXTERIOR SOFFIT ABOVE, TYP.
 3. LINE OF CANOPY ABOVE, TYP.
 4. LINE OF STAIRS ABOVE, TYP.
 5. LINE OF SECOND FLOOR ABOVE, TYP.



GATEWAY MEDICAL CENTER
 PINOLE VALLEY RD. AT HENRY AVE., PINOLE, CA 94564
 AGAPE, LLC - 1214 MCDONALD DR., PINOLE, CA 94564

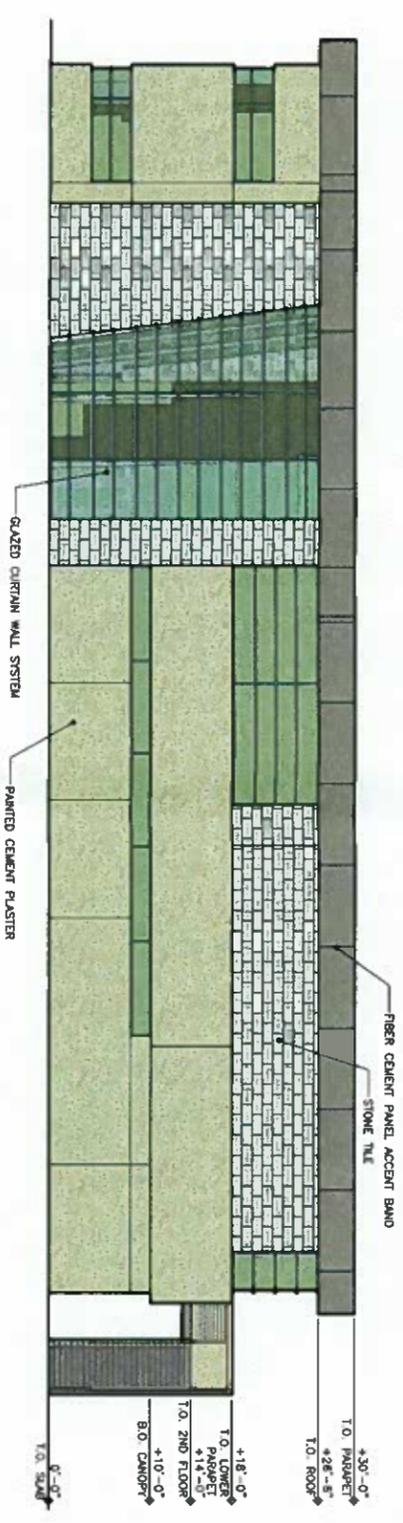
FIRST FLOOR PLAN A2
 11/24/15

- SPECIFIC NOTES**
1. LINE OF ROOF ABOVE, TYP.
 2. LINE OF EXTERIOR WALL BELOW, TYP.
 3. ROOF BELOW, TYP.
 4. CANOPY ROOF BELOW, TYP.



1 SECOND FLOOR PLAN

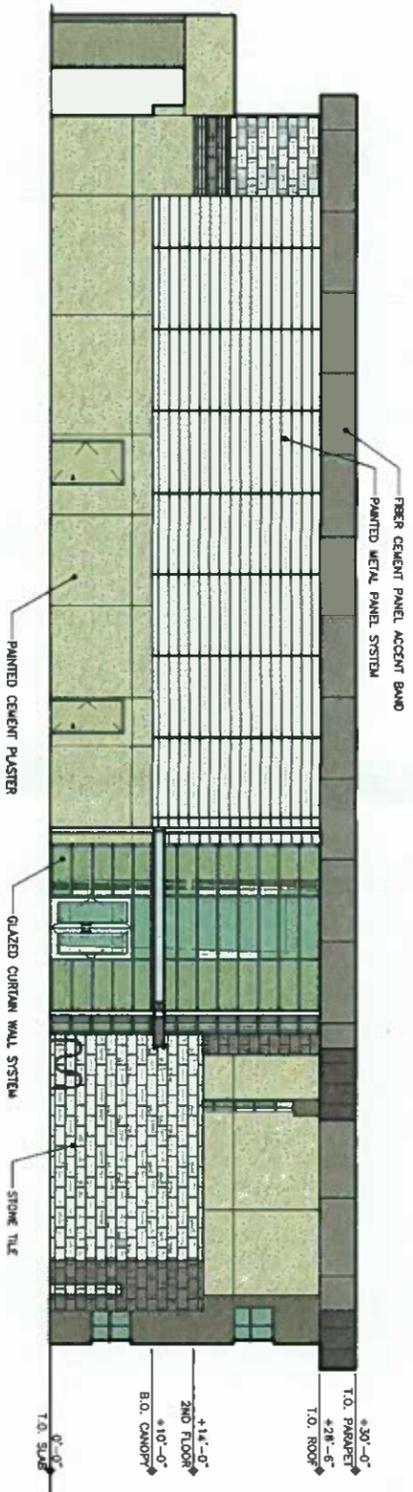




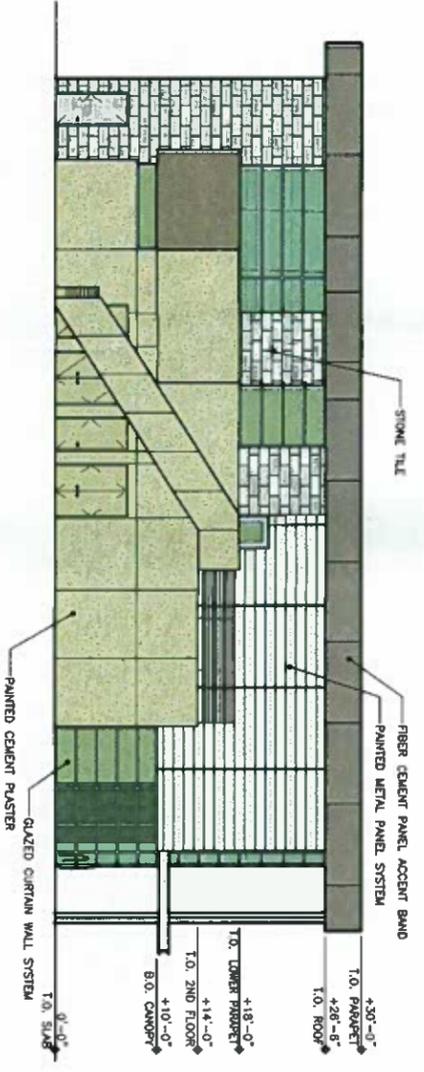
1 WEST ELEVATION



2 NORTH ELEVATION



1 EAST ELEVATION



2 SOUTH ELEVATION



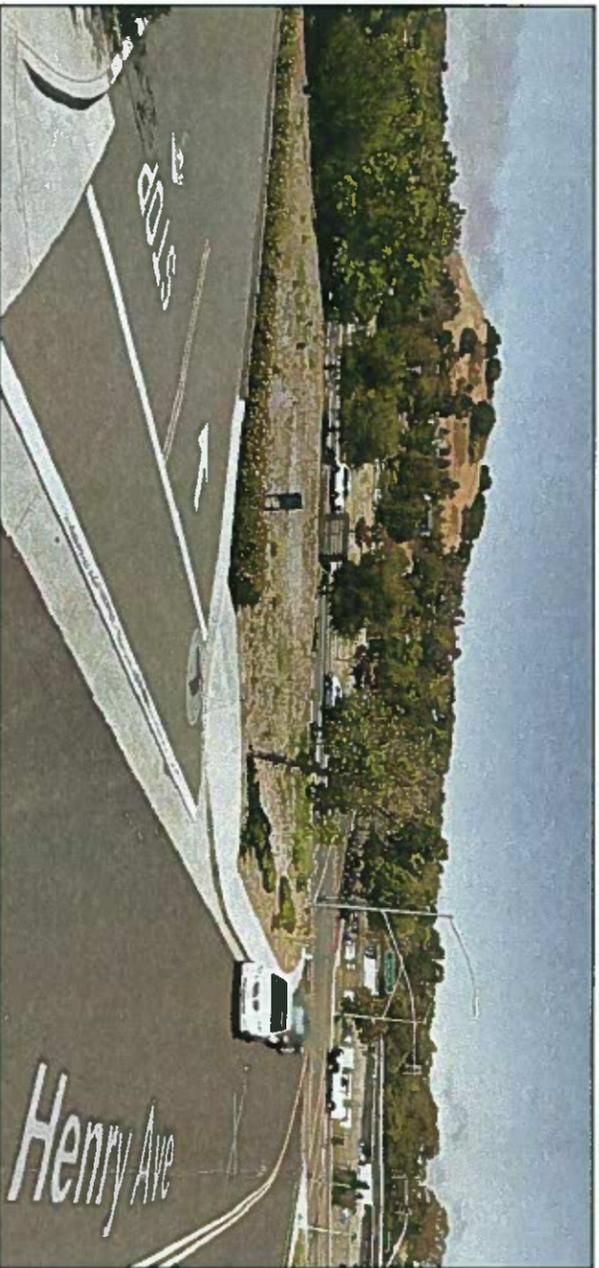
1 PINOLE VALLEY RD. SOUTHEAST VIEW - EXISTING

NTS



2 PINOLE VALLEY RD. SOUTHEAST VIEW - PROPOSED

NTS



3 HENRY AVE. WEST VIEW - EXISTING

NTS



4 HENRY AVE. WEST VIEW - PROPOSED

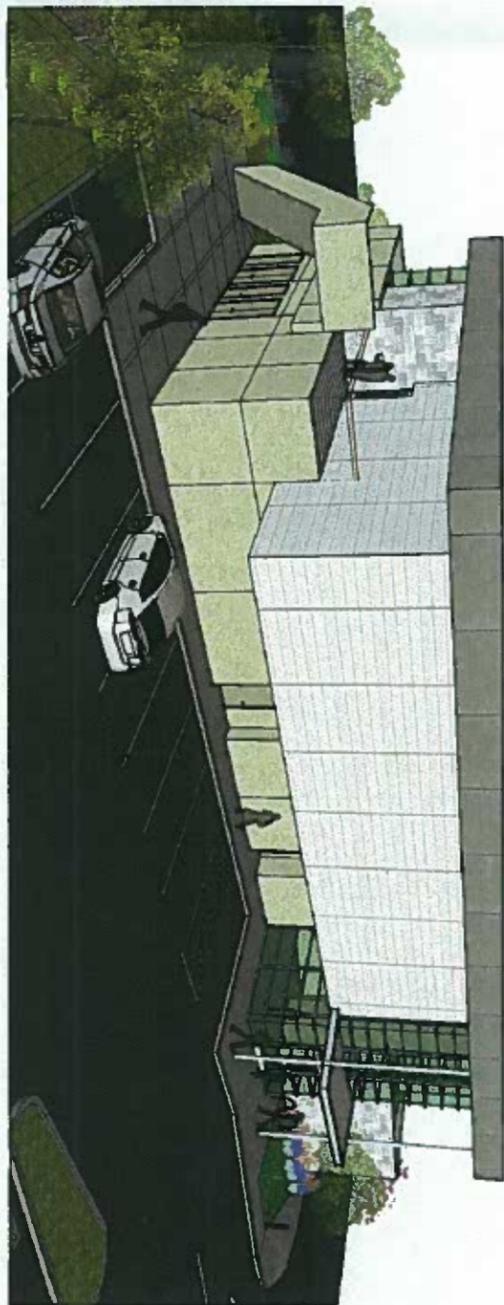
NTS



1 SOUTHEAST VIEW FROM PINOLE VALLEY RD./HENRY AVE. INTERSECTION



3 NORTHEAST VIEW FROM PINOLE VALLEY ROAD



2 NORTHWEST VIEW FROM PARKING LOT



August 28, 2015

To The City of Pinole Planning Commission:

Our Mission Statement begins with, "The Pinole Chamber of Commerce exists to provide services, resources and advocacy to foster growth in the business community and benefit Pinole. We believe a healthy community requires a strong local economy." We recognize that it is important to both nurture existing businesses and encourage new business in Pinole. The expansion of an already established local business accomplishes both of these goals. For this reason, we support Dr. Scott E Lee and East Bay Ophthalmology building a new facility on the Gateway East property of Pinole Valley Road.

This new facility will enable Dr. Lee to expand his practice, bringing new patients to Pinole and introducing them to businesses in Old Town and Pinole Valley, which will in turn strengthen our local economy and increase tax revenue for the City. The larger facility will also require a larger staff, creating new jobs in Pinole. If the new building is not approved East Bay Ophthalmology will have to relocate outside of Pinole. This will not only prevent the possible increase in business, but it will force their existing patients to travel outside of Pinole- and away from our local businesses- for their appointments.

Dr. Lee is a long time resident of Pinole who understands the importance of giving back. The unofficial tag line of the Pinole Chamber of Commerce is "Working for Business and Community." We appreciate when local organizations and businesses are willing to give back to the community. East Bay Ophthalmology partnered with us last year for WinterFest, helping to provide photos with Santa and Holiday activities for local children and their families. Dr. Lee is also the founder and CEO of the non-profit iCare which provides international medical missions work in poor communities worldwide. It is crucial for our community to not only acknowledge individuals like Dr. Lee, but also to encourage them to remain a part of our city.

It makes sense to nurture existing business in Pinole and encourage growth, especially when the outcome is increased employment, exposure for local businesses leading to tax revenue and a continued investment in the community. This is why we support the building of a new facility for East Bay Ophthalmology at Gateway East on Pinole Valley Road.

Amber Edwards
President, Pinole Chamber of Commerce

Winston Rhodes

From: Greg Jacobs [jake989898@aol.com]
Sent: Friday, April 15, 2016 2:09 PM
To: Winston Rhodes
Subject: Design Review DR 15-10 and CUP 15-02

Hi Mr Rhodes,

I've just received notice for construction of the 2 story building on APN 401-211-033. Pinole Valley Road at Henry.

I live across the street from this location.

Although I do not like a 2 story building at this location, I may not object if the project is properly designed and the site well balance.

This particular conditional use permit CUP 15-02 for reduced parking is exactly what I consider NOT well balanced.

Most large cities (yes, I know that Pinole is not large) have parking problems because of POOR planning.

I'm sure that you understand the term "slippery slope". This is a bad trend in a city that has ample space to do things properly.

What I don't need is an overflow of people parking on the streets in front of my house when there is adequate space to do things properly on-site. If space is not available to provide adequate parking, then the building footprint should be reduced to take care of this.

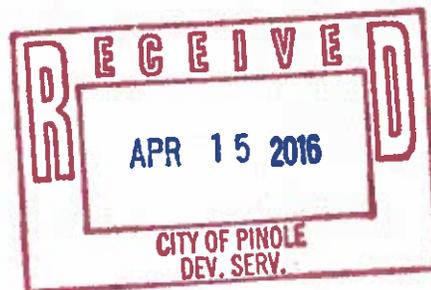
The City of Pinole should not be a party to any disregard to the regulations as already approved by our city council. They are there for a reason.

I am not able to attend the forthcoming meeting on April 25, but would like my comments made part of the meeting minutes.

I will continue to voice my objections to reduced parking and this development until it becomes well balanced.

Thanks
Greg Jacobs

Please respond to this email



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a **california** *health*.center

Leading the Way to a Healthier Community

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LifeLong East Oakland • LifeLong West Berkeley • LifeLong Howard Daniel Clinic • LifeLong Dental Care
LifeLong TRUST Health Center • LifeLong Eastmont Health Center • LifeLong Urgent Care Berkeley
LifeLong Brookside Richmond • LifeLong Brookside San Pablo • LifeLong Brookside Dental Care
LifeLong Richmond Health Center • LifeLong Richmond Harbour Way Health Center •
LifeLong Urgent Care San Pablo • LifeLong Marin Adult Day Health Center • LifeLong School-Based Health Services

November 6, 2015

Winston Rhodes
Planning Manager
City of Pinole
2131 Pear St.
Pinole, CA 94564

Dear Mr. Rhodes,

We support Dr. Lee and East Bay Ophthalmology's efforts to build a clinic in Pinole. Since the closure of Doctor's hospital, there are few locations patients can go to for urgent eye care and surgery. Dr. Lee has seen our ophthalmology emergency patients, as well as conducted diabetic screenings which are crucial in this underserved population. As we move into Pinole, it becomes all the more important that we continue to partner with like-minded physicians who will take care of our patient population. We hope you will look upon his application favorably so that we can partner to serve the patients of West County.

Sincerely,

Marty Lynch, PhD, MPA
Executive Director/CEO

RECEIVED

NOV 13 2015

CITY OF PINOLE
DEVELOPMENT SERVICES DEPT. /
PUBLIC WORKS

SUGGESTIONS FOR PLANNING COMMISSIONER GREATNESS

Understand your role

- Unique position
- Bring broad community Perspective
- Citizen involvement
- Balance interests – not political and not purely technical

Prepare well for commission meetings

- Read and understand the staff report
- Visit the sites under consideration (upon advice by your legal counsel)
- Contact staff with questions if you have them

Have a bias for action

- Decisions are the value you add to the planning process
- Prepare for the meeting with the intent of making a decision
- Avoid unnecessary continuances, a burden to all interested parties

Don't blindside staff with difficult questions at the meeting

- Let staff know prior to the meeting if you have concerns so they can prepare
- Follow the protocol for contacting staff, either through the director or with the staff members directly
- Do expect good staff work and recommendations

Be civil to each other so the public will be civil to you

- Your example establishes the tone for the meeting
- Be respectful

Seek to understand each other's positions and opinions

- Listen carefully to what is being said
- One of your objectives should be to identify points of consensus
- Ask clarifying questions to make sure you understand what is being said

View every meeting as an opportunity to communicate with the residents and to educate

- This may be the first (and/or last) meeting they will attend
- Explain the process and the purpose of the meeting
- What can the commission do and what the commission can't do
- It will establish or reinforce their view of local government

Establish new policy or policy modification separately from individual projects

No individual project should dictate your long range goals

Explain your rationale, but don't lecture the public

The public will be more accepting of broad concepts if presented in a different format and venue

Keep the meeting tempo the same at the end as at the beginning

Citizens who waited through earlier items deserve the same courtesy as those heard earlier

Strive for consistency, but acknowledge unique situations in projects

Not every decision sets precedent

Make your final action clear to the public

The public should leave the meeting clearly understanding what you did

Communicate with the city council frequently

Joint study sessions to discuss key issues

Planning for the Future

Who are you planning for?

Are your community needs being met?

Who will be residents in years to come?