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2
3 **MINUTES OF THE SPECIAL**
4 **PINOLE PLANNING COMMISSION**

5
6 **July 11, 2016**
7

8
9 **A. CALL TO ORDER:** 7:04 P.M.

10
11 **B. PLEDGE OF ALLEGIANCE AND ROLL CALL:**

12
13 Commissioners Present: Brooks, Hartley, Martinez-Rubin, Tave, Thompson,
14 Wong, Chair Kurrent

15
16 Commissioners Absent: None

17
18 Staff Present: Winston Rhodes, Planning Manager
19

20 **C. CITIZENS TO BE HEARD:**

21
22 There were no citizens to be heard.
23

24 **D. CONSENT CALENDAR:**

25
26 **1. Planning Commission Meeting Minutes from June 27, 2016**
27

28 **MOTION** to approve the Planning Commission Meeting Minutes of June 27, 2016,
29 as submitted.

30
31 **MOTION: Thompson SECONDED: Brooks APPROVED: 7-0**
32

33 Commissioner Wong recused himself from the discussion of the next item due to
34 a potential conflict of interest and stepped down from the dais at this time.
35

36 **E. PUBLIC HEARINGS:**

37
38 **1. Design Review (DR 16-15): San Francisco Bay Trail: Pinole Shores to**
39 **Bayfront Park**
40

41 **Request:** Consideration of a design review request to construct an
42 approximately 0.5-mile long and 14-foot wide segment of
43 the San Francisco Bay Trail extending a non-motorized
44 paved recreational trail along the San Pablo Bay
45 Shoreline in Pinole from a hillside bluff across from Hazel

1 Drive in Pinole Shores east over the Union Pacific
2 Railroad (UPRR) tracks to connect to an existing path in
3 Bayfront Park.

4
5 **Applicant:** East Bay Regional Park District
6 P.O. Box 5381
7 Oakland, CA 94605-0381
8

9 **Location:** East Bay Regional Park District (EBRPD) property
10 between Union Pacific Railroad and Burlington Northern
11 Santa Fe Railroad tracks, Union Pacific Railroad right of
12 way, and Bayfront Park along the San Pablo Bay
13 Shoreline (APN 402-140-007, 402-140-001, 401-010-
14 009, and 401-010-007)
15

16 **Project Staff:** Winston Rhodes, Planning Manager
17

18 Mr. Rhodes identified material that had been provided after the distribution of the
19 staff report including a PowerPoint presentation from the EBRPD supplemental to
20 information that had been presented to the Planning Commission on June 27,
21 2016, photographs from segments of the Bay Trail from the City of Hercules from
22 Steve Morrow and Linda Jane Kole, PowerPoint slides from Commissioner
23 Martinez-Rubin, and a large number of approved colors provided by the EBRPD to
24 assist in the discussion of the color of the railing and concrete to be used for the
25 elevated portion of the trail. He reported a meeting had been held on July 8, 2016
26 with some residents of Orleans Drive that he, Chair Kurrent, and Sean Dougan with
27 the EBPRD had attended. The Commission had also been provided a revised
28 resolution with track changes to clarify the findings of the California Environmental
29 Quality Act (CEQA).
30

31 Mr. Rhodes presented the staff report dated July 11, 2016, and recommended the
32 Planning Commission adopt Revised Resolution 16-07, approving the design
33 review request subject to conditions.
34

35 Responding to the Commission, Mr. Rhodes explained the Environmental Impact
36 Report (EIR) prepared by EBRPD could be relied upon as long as the project
37 description had not substantively changed or there were no changes in the
38 surrounding area that would change the environmental analysis, and he was of the
39 opinion there were no substantial changes in the area that would change the
40 conclusions of the EIR, and a supplemental document to the EIR would not be
41 required. The new trail extension would be Americans with Disabilities Act (ADA)
42 compliant. The City had noticed the hearing to property owners within 1,000 square
43 feet while EBRPD had previously noticed property owners within at least 300
44 square feet pursuant to State law, and while a prohibition of pile driving had not
45 been included as a condition of approval, it could be added as a condition.

46 Commissioner Martinez-Rubin presented a PowerPoint presentation to identify

1 different bridge structures she had found on the Internet to offer further design and
2 material options for consideration.

3
4 PUBLIC HEARING OPENED

5
6 SEAN DOUGAN, EBRPD Trails Development Program Manager, presented a
7 PowerPoint on the San Francisco Bay Trail, Pinole Shores to Bayfront Park
8 segment; described the history of the project; walked through the design and
9 material details; identified and responded to concerns raised during the
10 environmental review process, and at the June 27 Planning Commission workshop;
11 identified the project schedule; investment sources; and advised a copy of the
12 geotechnical report for the project had been made available to the Planning
13 Commission and to the public.

14
15 SAMI KALANTARI, Senior Engineer, AECOM, Technology Corporation, clarified
16 the project would involve drilling of the piles into bedrock and no pile driving would
17 occur.

18
19 Mr. Dougan sought more input about the proposed observation deck he described
20 as an amenity, although if the Commission sought its relocation off the bridge it
21 could be relocated to the bluff area on EBRPD property. In response to questions,
22 he referenced the potential for installation of infrared cameras, and had
23 recommended the Reconyx brand which were solar powered and could be installed
24 at face level to deter criminal activity; a graffiti resistant coating could be considered
25 for the bridge to allow graffiti to be more easily removed; the railing could be moved
26 to the very outer edge of the deck to prevent climbing; the proposed railing had
27 been a custom design although other options could be considered; construction
28 access would occur on Tennant Avenue; skateboards were allowed on EBRPD
29 trails; the bridge would be ADA compliant; the surface could consist of non-slip
30 material which while not attractive to skateboarders would not restrict wheelchair
31 access; the decking and railing coating needed to be determined; and
32 acknowledged that vegetative screening and trees could be considered for the
33 portion of the bridge that would land on the bluffs where there was a potential for
34 trail users to view directly into properties on Orleans Drive.

35
36 Mr. Kalantari responded to Commissioner Martinez-Rubin's presentation and noted
37 some of the examples were of pre-fabricated steel bridges; the subject bridge had
38 been designed to be 1,100 feet in length with columns on either side of the tracks
39 while prefabricated steel bridges were typically shorter spans. Various alternatives
40 had been considered for the bridge and the design presented had been based on
41 the preferred alternative identified in 2003. The EBRPD would own and operate the
42 bridge subject to permission from the UPRR, and the bridge's structural design
43 could not be changed at this point without EBRPD potentially losing its funding
44 source, although railing and color options could be considered. The bridge would
45 be complete in less than 12 months once construction commenced. The bridge
46 design had been reviewed on several occasions and had been approved by

1 Caltrans; any changes to its design would cause delays.

2
3 Mr. Dougan and Mr. Kalantari both clarified the railing could be adjusted as long as
4 it met the standards in terms of height, safety, and types of materials pursuant to
5 UPRR guidelines; an existing high pressure pipeline was owned by Kinder Morgan
6 and would not be impacted by the project; the new trail segment would be ADA
7 accessible, EBRPD was focused on the area of potential effect which would have
8 to be ADA accessible. The trail dead ended within EBRPD property and access to
9 the new trail segment would be from Pinole Shores Drive and Bayfront Park.

10
11 PUBLIC COMMENTS

12
13 STEVEN MORROW, 1140 Hazel Drive, Pinole, sought a less prominent profile for
14 the bridge and supported cyclone fencing as opposed to tubular fencing.

15
16 JEFF NOLEEN, 2246 Orleans Drive, Pinole, expressed concern for views; for
17 unstable soils through landslides, weather, train vibration and careless
18 mismanagement of the landslides by the railroad; and with impacts to the marsh
19 habitat during construction.

20
21 JOHN MORAN, 2235 Orleans Drive, Pinole, preferred a more attractive structure;
22 supported cyclone as opposed to tubular fencing although in a grayish color to
23 blend in with the environment; appreciated EBRPD's willingness to consider
24 vegetation to help screen the structure from his residence; and suggested granite
25 boulders could also be considered. He remained concerned with the height of the
26 bridge, questioned the integrity of the hillside, and identified an existing sewer line
27 problem near the site which raised concern.

28
29 JANICE KWIATKOWSKI, 2250 Orleans Drive, Pinole, spoke to the surrounding
30 horizontal lines and hillsides although the project would involve vertical railings,
31 which she found to be unattractive and contrary to the natural lines of the area.
32 She urged a reduction in the thickness of the railing, and a reduction in the width of
33 the trail.

34
35 ANN TARABINI, 2239 Orleans Drive, Pinole, liked the different options offered by
36 Commissioner Martinez-Rubin; requested a different color and railing material for
37 the structure; and expressed concern with the observation deck and suggested it
38 be relocated or eliminated entirely, she mentioned the instability of the bluffs and
39 suggested the EBRPD work with the Federal Emergency Management Agency
40 (FEMA) to address the slide activity; and asked whether the City of Pinole or the
41 EBRPD would patrol the area.

42
43 JENNY CHEW, Pinole, clarified with Mr. Dougan the location of the bridge, funding
44 for the maintenance and security of the structure, and security to be finalized
45 between the EBRPD and the Pinole Police Department.

1 ED ROBERTS, 2161 Cypress Avenue, Pinole, suggested a cyclone fencing
2 material would blend in with the horizon; found the bridge design to be beautiful, not
3 that wide, not like a freeway since it would be narrower, and encouraged approval
4 of the project.
5

6 CAROL MARSH, 332 Wildrose Circle, Pinole, opposed the bridge but if it must be
7 built preferred it be made more attractive and not as wide. She sought more
8 information on security for the trail; and asked whether restroom facilities would be
9 provided for trail users, and mentioned concern with debris and other impacts to the
10 nearby residents.
11

12 JOHN INNES, 490 Dohrmann Lane, Pinole, was pleased with the project but also
13 sought more information on security measures and additional restroom facilities.
14

15 Mr. Dougan and Mr. Kalantari reiterated that the trail width was due to the need to
16 allow a light duty/patrol vehicle to access the bridge; if too narrow sightlines would
17 be impeded; 12 feet was a standard width. The proposed fencing had been
18 changed in response to input from the City; the railing design was curved at the top
19 and was intended to reflect a historic railroad trestle, although black vinyl clad chain
20 link fencing or other color could be considered; a change in the railing height was
21 not recommended but the railing could be redesigned; and no additional restroom
22 facilities had been proposed or were part of the project scope.
23

24 Mr. Rhodes reported a new temporary restroom facility had been placed at Bayfront
25 Park during the construction of the Water Pollution Control Plant upgrade, and the
26 City and EBRPD had an agreement for maintenance of Bayshore Park which had
27 recently been amended and updated, although it could be revisited by the City
28 Council as part of the easement issue.
29

30 Mr. Kalantari spoke to the specifics of the final geotechnical report which had been
31 revised by Caltrans on several occasions, and reported that the project would not
32 have any adverse impacts on the existing slopes.
33

34 PUBLIC HEARING CLOSED

35
36 The Planning Commission offered the following comments and/or direction to staff
37 and the applicant:
38

- 39 • Include a condition in the Mitigating Monitoring and Reporting Program
40 (MMRP) that no pile driving shall occur.
41
- 42 • Include an appropriate finish to the concrete decking of the bridge, and staff
43 recommended a condition to read: *A finish to the concrete decking that*
44 *provides a rough texture to maximize safety.*
45

- 1 • Recommend a modification to Condition 13 requiring the security plan be
2 brought back to the Planning Commission for approval, and that infrared
3 cameras with motion detector sensors be installed; although staff
4 recommended the Police Department have discretion over the security plan.
5
- 6 • Consensus to remove the observation platform from the elevated portion of
7 the trail and add it further west closer to Pinole Shores Drive.
8
- 9 • Recommend the addition of a restroom facility while recognizing it was not
10 part of the scope of the project; and if there could be no new restroom facility
11 recommend that signage be posted to identify the location of the nearest
12 restroom facility.
13
- 14 • Recommend consideration of public art on the trail.
15
- 16 • Recommend various options for the railing, such as a galvanized welded
17 wire fabric material consisting of 2-inch squares with a framework within a
18 horizontal rail, posted every 8 feet, with the infill of the rail to consist of the 2-
19 inch square mesh fabric; did not support the use of wood due to the
20 maintenance issues but its appearance could be replicated with a rustic
21 finish; rather than the use of a cyclone fence material recommend
22 incorporating mesh material with something more architecturally pleasing,
23 and incorporating the historical railroad elements; recommend a silhouette of
24 art with the mesh which could be done at the beginning and middle of the
25 trail offering visual interest.
26
- 27 • Recommend the formation of a Subcommittee of the Planning Commission
28 to review the final design of the rail to be brought back to the full Planning
29 Commission, although Mr. Dougan reiterated the timeline for the project and
30 asked that such direction be memorialized in a condition of approval.
31

32 Mr. Rhodes noted that whatever alternatives EBRPD crafted for further review
33 would also have to be reviewed by UPRR, and recommended direction on the
34 intent. Based on the comments, he understood the consensus for something that
35 was visually unobtrusive, could be seen through to see the natural features beyond,
36 with a framework consistent with the existing railroad development requirements.
37

38 Mr. Rhodes recommended an additional condition to read: *Modify the railing*
39 *design to utilize a design that is visually unobtrusive and for further review by the*
40 *full Planning Commission.* He sought direction from the Planning Commission on
41 the decking and faux stone material, color of the cement and the mesh material,
42 and specific direction from the Planning Commission to allow the EBRPD to review
43 the possible options and allow review by all involved entities.
44

45 Mr. Dougan asked for approvals that would help the City Council move forward with

1 its action on the easements at Bayshore Park. He did not want to come back with
2 changes of an artistic element that might not be acceptable and which could require
3 further modification. The UPRR would neither approve the final design nor sign the
4 construction or easement agreements until the design was final. Also, Caltrans
5 structures required review of design changes.
6

7 Mr. Kalantari clarified the separated railroad crossing above the railroad property
8 would be “one structure” with the seismic calculations in one piece, and if separated
9 would result in delays. He could provide options for the railing in response to the
10 Commission’s discussion.
11

12 Mr. Dougan advised the decking would be stained to match either a gray or brown
13 color as shown on the sample color and materials board, and identified the sample
14 which had the most positive feedback.
15

16 On the discussion of when options could be returned to the Commission for review,
17 Mr. Rhodes advised that the soonest the application could return would be the
18 Special Planning Commission meeting on August 8, 2016. The Planning
19 Commission could approve the project with a return of the railing design.
20

21 Mr. Rhodes restated the additional conditions as follows:
22

- 23 • *The applicant shall ensure that any piers shall be drilled rather than pile*
24 *driven.*
- 25
- 26 • *Finish to concrete decking to provide a rough texture to maximize safety.*
27
- 28 • *Remove the observation deck from the elevated portion of the trail and add*
29 *an observation area further west closer to Pinole Shores Drive.*
30
- 31 • *Modify the railing design to utilize a design that is visually unobtrusive for*
32 *further review by the full Planning Commission.*
33

34 And modify Condition 7 to read:
35

- 36 • *The applicant shall include bicycle parking, seat benches, trash receptacles*
37 *and signage with information about nearest restrooms, with pet waste*
38 *stations and interpretive signage locations on the construction plans with*
39 *accompanying design specifications.*
40

41 **MOTION** to approve Planning Commission Resolution 16-07, (Revised), a
42 Resolution of the Planning Commission of the City of Pinole Approving a Design
43 Review Request to Construct an Approximately 0.5-mile section of the San
44 Francisco Bay Trail Along the San Pablo Bay Shoreline in Pinole from Pinole
45 Shores to Bayfront Park, subject to findings, and Exhibit A, Conditions of Approval,

1 with a modification to Condition 7, and with the additional conditions as shown.

2
3 **MOTION: Thompson SECONDED: Hartley APPROVED: 6-0-**
4 **1**

5 **Recused: Wong**

6
7 **2. Design Review (DR 16-11): Flyer's Gas Station Convenience Store**
8 **Removal and Replacement**

9
10 **This item has been continued to a Special Meeting on August 8, 2016**

11
12 **Request:** Consideration of a design review request to modify an
13 existing gas station including removal of an existing
14 approximately 528 square foot convenience store and
15 replace it with an approximately 1,283 square foot new
16 convenience store

17
18 **Applicant:** Nasreen Saleem
19 2467 Hill View Lane
20 Pinole, CA 94564

21
22 **Location:** 1390 San Pablo Avenue, APN 402-023-012

23
24 **Project Staff:** Winston Rhodes, Planning Manager

25
26 **F. OLD BUSINESS:** None

27
28 **G. NEW BUSINESS:** None

29
30 **H. CITY PLANNER'S / COMMISSIONERS' REPORT**

31
32 Mr. Rhodes reported that a special meeting of the Planning Commission had
33 been scheduled for August 8 and would include the continuation of Agenda Items
34 DR 16-15 for the San Francisco Bay Trail, and DR 16-11 for Flyer's Gas Station,
35 along with a Conditional Use Permit application for CVS for alcohol sales; with
36 Orange Theory Fitness scheduled for the September 26 Planning Commission
37 meeting. He provided an update on the progress of the Gateway Shopping
38 Center and East Bluff Apartments projects. Acknowledging concerns with the
39 appearance of the drive through, he clarified that the retaining wall at Starbucks
40 had been discussed by the Planning Commission when the project had been
41 considered.

42
43 **I. COMMUNICATIONS:** None

44
45 **J. NEXT MEETING:**

46

1 The next meeting of the Planning Commission will be a special meeting to be
2 held on Monday, August 8, 2016 at 7:00 P.M.
3

4 **K. ADJOURNMENT: 10:41 P.M**

5
6 Transcribed by:

7
8
9 Anita L. Tucci-Smith
10 Transcriber
11