



# Memorandum

**TO: PLANNING COMMISSION MEMBERS**

**FROM: WINSTON RHODES, AICP, PLANNING MANAGER**

**SUBJECT: Planning Commission Meeting Minutes January 23, 2017**

**DATE: May 22, 2017**

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## **BACKGROUND**

On January 23, 2017, the Planning Commission held a regularly scheduled meeting that included a hearing for Conditional Use Permit (CUP 16-09) and Design Review (DR 16-33) applications for the amendment of the Pinole Vista Plaza Shopping Center Sign Program and Design Modifications for the Lucky's market. There were corresponding resolutions for each land use request, Resolution 17-01 for the conditional use permit application and Resolution 17-02 for the design review application. During the meeting, the Planning Commission approved both land use requests. However, the meeting minutes for the January 23, 2017 meeting, which were approved at the February 27, 2017 Planning Commission meeting, only reflected that Resolution 17-01 was approved. Consequently, these meeting minutes need to be revised to reflect that Resolution 17-02 was approved as well.

## **STAFF RECOMMENDATION**

Approve revised meeting minutes for the January 23, 2017 Planning Commission meeting (Attachment A), to reflect that Resolution 17-02 was approved during this meeting.

## **ATTACHMENTS**

Attachment A: Revised Planning Commission Meeting Minutes 1-23-2017

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**DRAFT**

**MINUTES OF THE REGULAR  
PINOLE PLANNING COMMISSION**

**January 23, 2017**

**A. CALL TO ORDER: 7:02 P.M.**

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

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

Commissioners Absent: Tave

Staff Present: Winston Rhodes, Planning Manager

**C. CITIZENS TO BE HEARD:**

There were no citizens to be heard.

**D. CONSENT CALENDAR:**

1. Planning Commission Meeting Minutes from December 12, 2016

**MOTION** to approve the Planning Commission Meeting Minutes from December 12, 2016, as submitted.

**MOTION:** Thompson      **SECONDED:** Brooks

**APPROVED:** 5-0-1-1

**ABSTAIN:** Hartley

**ABSENT:** Tave

**E. PUBLIC HEARINGS:**

1. **Conditional Use Permit 16-08: Maria's Daycare**

***This item has been continued to February 27, 2017***

**Request:** Consideration of a use permit request to expand the day care capacity of an existing small family day care home for up to 8 children to a large family day care home for up to 14 children within an approximately 2,234 square foot single-family residence.

1                   **Applicant:**            Maria Magana  
2                                    1191 Marlesta Road  
3                                    Pinole, CA 94564  
4  
5                   **Location:**            1191 Marlesta Road, APN 402-133-009  
6  
7                   **Project Staff:**        Winston Rhodes, Planning Manager  
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9                   Planning Manager Winston Rhodes reported that there were some outstanding  
10                   code enforcement issues with the property and staff hoped those issues would be  
11                   resolved by the next Planning Commission meeting. If not, the item may be  
12                   continued to a date to be determined.  
13

14                   **2.        Design Review 16-23 and Conditional Use Permit 16-06: Happy Ramen**  
15                   **Restaurant with Alcohol Sales**

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17                   **This item had been continued to February 27, 2017**  
18

19                   **Request:**                Consideration of design review request to modify an  
20                                    existing approximately 2,584 square foot commercial  
21                                    building for a restaurant including a use permit request  
22                                    to sell beer and wine within the restaurant for on-site  
23                                    consumption.  
24

25                   **Applicant:**            Richard Brunelle  
26                                    1552 167<sup>th</sup> Avenue  
27                                    San Leandro, CA 94578  
28

29                   **Location:**            1907 San Pablo Avenue, APN 401-112-029  
30

31                   **Project Staff:**        Winston Rhodes, Planning Manager  
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33                   Mr. Rhodes stated the item would be continued to the Planning Commission  
34                   meeting of February 27 2017, also due to code enforcement violations and  
35                   additional information required for completeness review. Staff hoped to have more  
36                   information at the February 27, 2017 Planning Commission meeting.  
37

38                   **3.        Conditional Use Permit 16-09 and Design Review 16-33: Pinole Vista**  
39                   **Plaza Shopping Center Sign Program and Design Modifications**

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41                   **Request:**                Consideration of a use permit request to amend an  
42                                    existing sign program including allowing additional on-  
43                                    building signage and consideration of a design review  
44                                    request to modify the existing signage and the building  
45                                    façade of the grocery store within the Pinole Vista

1 Plaza Shopping Center.

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3 **Applicants:** Hagman Associates  
4 1153 Castle Way  
5 Menlo Park, CA 04025  
6

7 **Location:** 1530 Fitzgerald Drive, APN 426-391-007  
8

9 **Project Staff:** Winston Rhodes, Planning Manager  
10

11 Mr. Rhodes presented the staff report dated January 23, 2017, and clarified the  
12 applicant had submitted revised information and would like the accessory signage  
13 for Lucky Market to be a red color, with copies of the change provided to the  
14 Planning Commission at the dais.  
15

16 Mr. Rhodes recommended the Planning Commission adopt Resolution 17-01,  
17 (Sign Program Use Permit Amendment) approving the sign program amendment  
18 with conditions, and adopt Resolution 17-02 (Design Review) approving the Lucky  
19 Market façade modifications with project conditions.  
20

21 Responding to the Commission, Mr. Rhodes clarified the City's bicycle parking  
22 ratio pursuant to the Pinole Municipal Code (PMC) require four bicycle parking  
23 spaces in this case; the applicant would be allowed to have bicycle parking in the  
24 interior and exterior; staff had received no request from the applicant to move  
25 forward with new monument or pylon signage, although by initiating the design  
26 improvements in 2013 the applicant activated that design approval and the  
27 applicant would have to move forward with what had been previously been  
28 approved. The information provided to the Planning Commission had shown  
29 Lucky being added to the Sign Program.  
30

31 In terms of ownership, the in-line stores on either side of Lucky were owned by  
32 Retail Property Investment Corporation (ROIC) as was the Kmart pad and  
33 Starbucks. Goodyear Tires and the fast food restaurants directly fronting  
34 Fitzgerald Drive and Dollar Store were located on property that was not owned by  
35 ROIC. Over time as those businesses upgraded signage, the City would  
36 encourage those businesses to amend the Sign Program to have compatible  
37 signage. The shopping center was owned by multiple parties, and the City could  
38 not require other property owners not submitting an application to sign onto the  
39 Sign Program. In the course of discussions of other items of mutual concern, the  
40 property owner would approach the other properties to determine whether they  
41 were interested in joining the Sign Program, although Kentucky Fried Chicken  
42 (KFC) was the only tenant interested in making exterior modifications although  
43 they were not reflected in the Sign Program.  
44  
45

1 Mr. Rhodes also understood the applicant had installed bicycle parking elsewhere  
2 in the shopping center. A condition for bicycle parking had been included since  
3 Lucky, as the anchor tenant, had not been part of the prior Pinole Plaza façade  
4 renovation design review request. The City did not have the same requirements, if  
5 any, for bicycle parking at that time the Lucky's Market was built.  
6

7 PUBLIC HEARING OPENED  
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9 ROGER HAGMAN, 1153 Castle Way, Menlo Park, stated ROIC, the property  
10 owner, was in agreement with the conditions of approval recommended by the  
11 City. The proposal was a commitment by ROIC to ensure the anchor tenant space  
12 was in good shape and would attract other tenants to the shopping center.  
13

14 SHAWN WEST, JSJ Electrical Display, had developed the Master Sign Program  
15 (MSP) for the Pinole Vista Plaza Shopping Center in 2012. He clarified the  
16 removal of existing letter sets for Lucky which were red in color, and explained that  
17 once renovations were complete the existing red letters would be reinstalled,  
18 distributed, and spread out on the building elevation. He also clarified the  
19 parameters of the MSP allowed a future grocery tenant should Lucky move out, to  
20 be permitted a stacked layout within the allowed square footage on the fascia of  
21 the sign.  
22

23 Mr. Rhodes added that the Sign Program allowed for two sets of text and enabled  
24 flexibility to organize the sign area in various ways.  
25

26 PUBLIC HEARING CLOSED  
27

28 The Planning Commission recommended an additional condition that *Any signs*  
29 *that were not properly maintained, burned out, or broken would be replaced*  
30 *within 72 hours.*  
31

32 Mr. Rhodes clarified the City regulated damaged or non-functioning signage, and  
33 it was in the interest of the property owner and the tenant to ensure the signs  
34 were visible. Property owners/tenants were usually responsive when informed of  
35 any damaged or burned out signage, although he recognized some repair work  
36 could take longer than 72 hours.  
37

38 It was recommended that the Conditions of Approval for Resolution 17-01 be  
39 amended to include a new Condition 7 (a) to read:  
40

41 *Any damaged or inoperable signage repairs shall commence within 72*  
42 *hours upon notification by the City of Pinole.*  
43

44 Mr. West commented that service orders for light bulbs, as an example, could be  
45 done within three to four days although major repairs could take up to two

1 months. He recommended that the time for repair be flexible and be considered  
2 on a case-by-case basis.

3  
4 **MOTION** to adopt Planning Commission Resolutions No. 17-01 ~~and 17-02,~~ a  
5 Resolution 17-01 of the Planning Commission of the City of Pinole ~~a~~ Approving  
6 ~~the~~ Conditional Use Permit Amendment Request to ~~m~~ Modify ~~the~~ Sign Program  
7 and Guidelines for the Pinole Vista Plaza Shopping Center (CUP 16-09) ~~by~~  
8 ~~a~~ Adding the Market Building at 1530 Fitzgerald Drive (APN 426-391-007), ~~with a~~  
9 ~~A~~ new condition of approval ~~is~~ to be added to Resolution 17-01, with the precise  
10 language to be determined by staff with the intent that initiation of necessary  
11 repairs of any damaged or inoperable signage shall commence within 72 hours  
12 of notification by the City of Pinole. Resolution 17-02 of the Planning  
13 Commission of the City of Pinole approving a Design Review Request for New  
14 Signage and Exterior Building Façade Modifications for the Market Building at  
15 1530 Fitzgerald Drive.

16  
17 **MOTION:** Hartley

**SECONDED:** Thompson

**APPROVED:** 6-0-1

**ABSENT:** Tave

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20 **F. OLD BUSINESS:** None

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22 **G. NEW BUSINESS:**

23  
24 **1. Formation of Accessory Dwelling Unit Text Amendments**  
25 **Subcommittee**

26  
27 Mr. Rhodes presented the staff report dated January 23, 2017, and asked the  
28 Planning Commission to consider the appointment of two Planning Commissioners  
29 to serve on the Accessory Dwelling Unit Text Amendments Subcommittee.

30  
31 Commissioner Martinez-Rubin and Chair Kurrent volunteered to serve on the  
32 Accessory Dwelling Unit Text Amendments Subcommittee.

33  
34 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

35  
36 Mr. Rhodes provided information on the upcoming annual Planning  
37 Commissioner Academy scheduled for March 1 through 3, 2017 in the City of  
38 Los Angeles, with funding available to send two Planning Commissioners to the  
39 event. Interested Planning Commissioners were encouraged to contact staff.

40  
41 Mr. Rhodes reported that the next meeting of the Planning Commission  
42 scheduled for February 27 would include the two continued items as shown on  
43 the agenda. He explained that special Planning Commission meetings might  
44 need to be scheduled to move other projects forward, including the last building  
45 in the Gateway Shopping Center for a dialysis medical office building, which

1 could involve a Planning Commission workshop in February and March.  
2

3 Mr. Rhodes also reported on the status of Sprouts Market and Starbucks, which  
4 were now open and explained that improvements were underway for the  
5 remaining tenants. He described a number of issues related to the Sprouts  
6 Market Center and explained how those issues were being addressed.  
7

8 Commissioners expressed concern with parking and circulation in the Sprouts  
9 Center, particularly when the center reached capacity; requested a more  
10 substantive update on the recent passage to legalize marijuana; and noted that  
11 Form 700 could now be submitted electronically.  
12

13 Mr. Rhodes also provided an update on the status of the clock tower face for  
14 CVS, and advised that while a design had been submitted, it was inconsistent  
15 with the direction of the Planning Commission Development Review  
16 Subcommittee. Staff would forward the plans to the Subcommittee, no approval  
17 would be issued pending adjustments to the plans, and it would not impact the  
18 construction of the CVS building. In addition, bicycle parking for the East Bluff  
19 Apartments would be brought to the full Planning Commission at a future date,  
20 once additional graphics had been provided. Construction for the project was  
21 occurring in phases and would involve a multi-year effort.  
22

23 Commissioner Thompson detailed the Subcommittee's discussions related to the  
24 proposed bicycle parking at the East Bluff Apartments.  
25

26 Chair Kurrent reported a sandwich sign had been posted in front of the building  
27 near Tara Hills and Appian Way across from the gas station for months and  
28 should be removed; and requested that a large For Lease sign located at the  
29 medical office building at 1617 Canyon Drive should be removed given that CVS  
30 had been approved.  
31

32 Mr. Rhodes noted that the City accommodated real estate signs until the parties  
33 had signed all necessary agreements. He was confident the For Lease sign  
34 would not be in place much longer.  
35

36 **I. COMMUNICATIONS: None**  
37

38 **J. NEXT MEETING:**  
39

40 The next meeting of the Planning Commission will be a Regular Meeting to be  
41 held on Monday, February 27, 2017 at 7:00 P.M.  
42

43 **K. ADJOURNMENT: 8:34 P.M**  
44

45 Transcribed by:

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Anita L. Tucci-Smith  
Transcriber