

AGENDA FOR THE



CITY OF PINOLE PLANNING COMMISSION REGULAR MEETING

Monday, March 28, 2022

7:00 P.M.

Via Zoom Videoconference

DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS MEETING IS BEING HELD VIA VIDEOCONFERENCE PURSUANT TO AB 361 – CITY PLANNING COMMISSION MEETINGS ARE NOT CURRENTLY OPEN TO IN-PERSON ATTENDANCE.

WAYS TO WATCH THE MEETING

- LIVE ON CHANNEL 26. The Community TV Channel 26 schedule is published on the City's website at www.ci.pinole.ca.us. The meeting can be viewed again as a retelecast on Channel 26.
- VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.ci.pinole.ca.us. and remain archived on the site for five (5) years.
- If none of these options are available to you, or you need assistance with public comment, please contact Planning Manager David Hanham at (510) 724-8912 or ghanham@ci.pinole.ca.us.

TO PARTICIPATE IN PUBLIC COMMENT DURING THE MEETING

Members of the public may submit a live remote public comment via Zoom video conferencing. Download the Zoom mobile app from the Apple Appstore or Google Play. If you are using a desktop computer, you can test your connection to Zoom by clicking [here](#). Zoom also allows you to join the meeting by phone.

From a PC, Mac, iPad, iPhone or Android:

<https://us02web.zoom.us/j/87637149010>

OR

<https://zoom.us/join>

Webinar ID: 876 3714 9010

By phone: +1 (669) 900-6833 or +1 (253) 215-8782 or +1 (346) 248-7799

- Speakers will be asked to provide their name and city of residence, although providing this is not required for participation.
- Each speaker will be afforded up to 3 minutes to speak.
- Speakers will be muted until their opportunity to provide public comment.

When the Chair opens the comment period for the item you wish to speak on, please use the “raise hand” feature (or press *9 if connecting via telephone) which will alert staff that you have a comment to provide. Once you have been identified to speak, please check to make sure you have unmuted yourself in the videoconference application (or press *6 if connecting via telephone).

COMMENTS

Please submit public comments to Planning Staff before or during the meeting via email ghanham@ci.pinoles.ca.us. Comments received before the close of the item will be read into the record and limited to 3 minutes. Please include your full name, city of residence and agenda item you are commenting on.

AMERICANS WITH DISABILITIES ACT

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) 724-8912. 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.

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.

NOTE FOR VIDEOCONFERENCE MEETINGS: Public comments may be submitted to Planning Staff before or during the meeting via email ghanham@ci.pinoles.ca.us. Comments received before the close of the item will be read into the record and limited to 3 minutes. Please include your full name, city of residence and agenda item you are commenting on.

Persons wishing to speak when items are opened for public comment may use the raise hand feature if connected via Zoom or press *9 if connected via telephone. When identified to speak, persons should ensure they have unmuted themselves or press *6 to unmute if connected via telephone.

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 and the Planning Commission may act to confirm, modify, or reverse the action of the Planning Manager. The cost to appeal a decision is \$500 and a minimum \$2,500 deposit fee.

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

B1. PLEDGE OF ALLEGIANCE

B2. LAND ACKNOWLEDGMENT: Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present, and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding.

B3. 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.

D. MEETING MINUTES:

1. Planning Commission Meeting Minutes from February 28, 2022

E. PUBLIC HEARINGS:

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.

None

F. OLD BUSINESS:

None

G. NEW BUSINESS:

1. Parklet Design

Discussion of concepts for parklet standards and design guidelines.

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

I. COMMUNICATIONS:

J. NEXT MEETING(S):

Planning Commission Regular Meeting, April 11, 2022 at 7:00PM

K. ADJOURNMENT

POSTED: March 24, 2022

David Hanham
Planning Manager

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DRAFT

**MINUTES OF THE REGULAR MEETING
PINOLE PLANNING COMMISSION**

February 28, 2022

**THIS MEETING WAS HELD IN ACCORDANCE WITH ASSEMBLY BILL (AB) 361 AND
A RESOLUTION ADOPTED BY THE CITY COUNCIL AUTHORIZING REMOTE
MEETINGS FOR ALL CITY LEGISLATIVE BODIES**

A. CALL TO ORDER: 7:01 P.M.

B1. PLEDGE OF ALLEGIANCE

B2. LAND ACKNOWLEDGEMENT: Before we begin, we would like to acknowledge the Ohlone people, who are the traditional custodians of this land. We pay our respects to the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land that Pinole sits upon, their home. We are proud to continue their tradition of coming together and growing as a community. We thank the Ohlone community for their stewardship and support, and we look forward to strengthening our ties as we continue our relationship of mutual respect and understanding

B3. ROLL CALL

Commissioners Present: Benzuly, Kurrent, Martinez, Menis, Vice Chairperson
Moriarty, Chairperson Banuelos

Commissioners Absent: Wong

Staff Present: David Hanham, Planning Manager
Justin Shiu, Contract Planner

C. CITIZENS TO BE HEARD

Tony Vossbrink, Pinole, speaking on behalf of friends and neighbors, inquired of the status of several inoperable street lights along Pinole Valley Road around Pinole Valley High School near the library. While he had previously reported this issue to the City Council, and had been informed this was a PG&E matter, it was a safety hazard which should be addressed immediately. The streets and crosswalks in the valley and along Pinole Valley Road also needed to be restriped and parking spaces along Adobe Road should be striped since it was a public health, safety and quality of life issue. In addition, an existing breach along Pinole Creek behind the Sprouts Shopping Center was to be addressed by the County, but nothing had been done. He asked the Planning Commission to urge the City Council to work with the appropriate parties to get these matters resolved.

1 Planning Manager David Hanham stated he would forward the concerns to the
2 Public Works Department. As to the lights along Pinole Valley Road, he
3 understood that PG&E was having some issues and he would check on the status.
4

5 **D. MEETING MINUTES:**
6

7 1. Planning Commission Meeting Minutes from December 13, 2021
8

9 Commissioner Menis requested an amendment to Lines 15 through 18 of Page 4,
10 of the December 13, 2021 Planning Commission Meeting Minutes, as follows:
11

12 *In response to Commissioner Menis who wanted to know whether he was*
13 *permitted to comment on the Hazel Street Project, Mr. Mog stated that while*
14 *the project had been approved by the City, Commissioner Menis lived within*
15 *a 500-foot radius of the project site and he recommended Commissioner*
16 *Menis not comment on the project at this time.*
17

18 **MOTION** with a Roll Call vote to adopt the Planning Commission Meeting Minutes
19 from December 13, 2021, as amended.
20

21 **MOTION: Menis SECONDED: Benzuly APPROVED: 6-0-1**
22 **ABSENT: Wong**
23

24 **E. PUBLIC HEARINGS: None**
25

26 **F. OLD BUSINESS: None**
27

28 **G. NEW BUSINESS:**
29

30 1. **Three Corridors Specific Plan – Appian Way Corridor Information and**
31 **Discussion**

32 Information and discussion item reviewing the content of the City's adopted
33 Three Corridors Specific Plan, with a focus on the Appian Way Corridor
34

35 Mr. Hanham presented the staff memorandum dated February 28, 2022, and
36 advised that the Planning Commission had been reviewing the Three Corridors
37 Specific Plan and its relationship with the General Plan and Zoning Ordinance,
38 along with the potential of each of the corridors for both residential and non-
39 residential developments. The Planning Commission had reviewed the San Pablo
40 Avenue Corridor at its November 8, 2021 meeting and the Pinole Valley Road
41 Corridor on December 13, 2021.
42

43 Mr. Hanham provided a PowerPoint presentation of the Three Corridors Specific
44 Plan – Appian Way Corridor with an overview of the vision for Appian Way, Appian
45 Way Sub-Area Framework, zoning designations, urban design and circulation
46 principles, parking and focal points, aesthetic, landscaping, lighting and signage

1 principles for Appian Way and economic and land use development. The Appian
2 Way Opportunity Sites north of Interstate-80 and the Development Standards, and
3 Private and Public Realm Standards and Design Guidelines were also highlighted.
4

5 An example of projects in the Appian Way Corridor were identified and included a
6 151-unit residential development; a 345,430 square foot Multi-Family Project to be
7 located at 2151 Appian Way; and the 553,212 square foot Safeway Project at 1300
8 – 1577 Tara Hills.
9

10 Responding to the Commission, Mr. Hanham clarified:
11

- 12 • The property owner was working with Safeway related to issues with the
13 Pinole Square project and staff was working to obtain a project schedule, but
14 it was anticipated the project would commence in 2022.
15
- 16 • The Appian Village project would likely be presented to the Planning
17 Commission at its second meeting in March. Staff was reviewing the traffic
18 analysis the applicant had submitted which had been compared to the former
19 Doctors Hospital. All potential impacts including fire services would be
20 analyzed as part of the project.
21
- 22 • A full traffic signal had been planned at Marlesta Road as part of the Capital
23 Improvement Plan (CIP) but staff would have to return with a status report on
24 the specifics of the design.
25
- 26 • Staff acknowledged that bicycle and pedestrian improvements ended at the
27 south end of the Appian Way Corridor and that any plans by the City to extend
28 those improvements into the Appian Way Corridor would require an extension
29 of the right-of-way (ROW), bicycle lane and shoulders. This issue had been
30 discussed by staff but there had been no development interest in the area.
31 Grant funding would have to be considered for the pedestrian and bicycle
32 improvements which may be the only way for such improvements to be
33 provided by the City of Pinole, unless a development had been planned that
34 would install needed improvements.
35
- 36 • The former Kmart property on Fitzgerald Drive was currently part of the
37 Appian Way Corridor. There had been a prior recommendation by
38 Commissioner Wong to consider making it its own corridor, which
39 recommendation was being discussed amongst staff and the Community
40 Development Director although the area was built out.
41
- 42 • There were no plans to change the existing bridge over Appian Way although
43 the City was working with Caltrans on safety measures since the City would
44 be adding more residential units in the Three Corridors Specific Plan area.
45

- There were two WestCAT JPX Express lines coming through Appian Way and Fitzgerald Drive that currently provided services to BART, which routes would be most impacted by BART's plans to stop funding to connectors. Existing bus routes between Pinole and Richmond to the BART station should not be affected.
- Developments in the Service Area of the Appian Way Corridor may be as high as 70 feet with the knowledge that new projects would include numerous mitigations, such as requiring the purchase of fire equipment or the payment or mitigation fees for the purchase of fire equipment.
- Using the proposed Appian Village project as an example, a Commercial Mixed-Use (CMU) would allow for 100 percent residential in the Three Corridors Specific Plan as long as it provided community benefits as described in the General Plan. Staff clarified that once the project was built out, an existing chain link fence would be removed. Since the building had become dilapidated, the property owner had been required to provide protective fencing around the property which had led to the use of the chain link fence.
- Clarified Table 2: Existing v. Proposed Development Projections for the Appian Way Corridor, as shown in the staff memorandum.
- Updating the Housing Element process would include discussions along with public input on meeting the City's Regional Housing Needs Allocation (RHNA), and more vertical density would be reviewed as part of that process, particularly in those areas of the Three Corridors Specific Plan area that were currently built out.
- Referencing the Pinole Square development, the project design was locked in with the exception of the landscaping, with more native trees proposed to be part of the project. Staff had discussed different ideas with the applicant who was in the process of working on the tenant spaces. The applicant had the ability to return and request design review to make modifications. The applicant would provide 16 to 18 electric vehicle (EV) parking spaces throughout the development and all spaces would be wired for EVs.
- Staff was working on possibly providing a stop light across San Pablo Avenue near the new senior housing development on San Pablo Avenue, with the CIP currently calling for a lighted sidewalk. Staff would verify that information.
- Staff acknowledged the traffic congestion at the Tara Hills and Appian Way intersection and the need for better directional signage or clear street markings in the intersection.

- Staff also acknowledged that a lot had happened since the creation of the Three Corridors Specific Plan and it may have to be updated along with the General Plan.

The Planning Commission discussed at length its concerns with the future development application for the former Kmart property; recognition of the housing crisis and issues related to affordable housing along with the fact that not all communities had provided their fair share of affordable housing; and the fact that former shopping center properties were ideal for residential development with a need to consider thoughtful vertical density in Pinole.

PUBLIC COMMENTS OPENED

Mr. Hanham advised there were no public comments for this item.

PUBLIC COMMENTS CLOSED

In response to Vice Chairperson Moriarty, Mr. Hanham advised the community benefits had been detailed in Section 5, Page 23 of the Land Use Element of the General Plan.

The Planning Commission thanked staff for the presentation.

H. CITY PLANNER'S / COMMISSIONERS' REPORT

Mr. Hanham reported the project proposed for 2801 Pinole Valley Road would likely be considered by the Planning Commission in April, and the Pinole Vista project the second meeting of March or first meeting of April. Appian Village would be presented to the Planning Commission at the end of March. He also reported an application had been received for the Pinole Shores II project and staff was working on the Greenhouse Gas Emissions (GHGs) Inventory, and hoped to issue a Request for Proposal for a Climate Action Plan (CAP). In addition, the City website had been updated with general information on all Planning Department projects and the City was working on new software for planning and building permits to provide more efficient and transparent operations. The City Council would be considering a hybrid in-person format for its March 15, 2022 regular City Council meeting to be held in the Council Chambers. The Planning Commission would be apprised when its meetings would return to the in-person format.

Mr. Hanham further reported on the upcoming in-person Planning Commission Academy scheduled for March 16 through 18, 2022 in San Ramon. Planning Commissioners interested in attending were asked to contact staff.

Commissioner Kurrent liked the Zoom meeting capabilities and hoped there would be a way for a Commissioner to continue to participate remotely if unable to attend

1 in person, particularly since he would not be present for the March 14, 2022 Planning
2 Commission meeting.

3
4 Mr. Hanham expressed the willingness to look into a hybrid option. It was likely the
5 City Council would meet in-person first, which would allow staff to work out any issues
6 prior to the Planning Commission returning to an in-person format.
7

8 Vice Chairperson Moriarty inquired of the status of creating objective standards to
9 comply with Senate Bill (SB) 9 since she understood there was a March 2022
10 deadline, to which Mr. Hanham reported that staff was reviewing what other cities
11 had done, may consider an Urgency Ordinance, but would definitely adopt objective
12 standards in compliance with SB 9. He anticipated information would be presented
13 to the Planning Commission at a meeting in March.
14

15 Vice Chairperson Moriarty inquired of the status of the meeting schedule for the
16 Historic Overlay Ad Hoc Committee, and Mr. Hanham advised he would have to
17 follow-up with the Assistant City Attorney and would provide an update to the
18 Planning Commission.
19

20 Vice Chairperson Moriarty also asked about the status of plans to install a granite
21 boulder at the entrance to the City of Pinole off of I-80 near the DaVita Dialysis
22 building, and the status of a replacement tree for a street tree that had been removed
23 on San Pablo Avenue.
24

25 Mr. Hanham commented that the only boulder he was aware of was moving one near
26 the creek as part of the park bench. He would check with the Public Works
27 Department regarding the replacement tree on San Pablo Avenue.
28

29 **I. COMMUNICATIONS:** None
30

31 **J. NEXT MEETING**
32

33 The next meeting of the Planning Commission to be a Regular Meeting scheduled
34 for March 14, 2022 at 7:00 P.M.
35

36 **K. ADJOURNMENT:** 8:50 P.M.
37

38 Transcribed by:
39
40

41 Sherri D. Lewis
42 Transcriber



Memorandum

TO: Planning Commission

FROM: David Hanham, Planning Manager

SUBJECT: Parklet Design

DATE: March 28, 2022

BACKGROUND

With the onset of the pandemic, the City Council adopted an emergency ordinance to allow outdoor dining permits to be approved with a Temporary Use Permit. There were approximately 205 businesses that took advantage of the Temporary Use Permit process. Most of the businesses that established outdoor dining areas were within the parking lots or individual businesses; one used a street parking space in front of the business. They ranged in size from using one parking stall to using five parking stalls. All of these outdoor dining areas could be considered parklets. Three to five of these temporary outdoor dining areas remain today. The City is in the beginning stages of developing policies and guidelines for parklets within the city limits.

Parklets are small sidewalk extensions intended to provide amenities, green space, or recreational areas to the public. They are usually constructed to encompass the area of one or more typical parking stalls. Parklets can serve various purposes to provide additional space within the existing built context, including providing opportunities for outdoor dining for customers of restaurants and opportunities as public gathering points in the case of community parklets. As a public gathering space feature, the design of community parklets can maximize a sense of community by utilizing public spaces for aesthetics to create features of interest or opportunities for informal gatherings.

Parklets have been used in cities all across the state. Just recently with the Covid-19 outbreak, a number of eating establishments created temporary parklets within parking areas of the individual businesses (e.g. Tina's and Antlers). One business has a parklet along Pear Street (Sue's Place),

During the pandemic, 20 eating establishment at one time created temporary parklet style spaces in their parking lots. Currently, about five are still operating their outdoor dining spaces. The City has not had any complaints regarding the temporary outdoor dining establishments.

ANALYSIS:

The City is in the beginning stages of developing Parklet Regulations and Guidelines. Staff has identified several topic areas and examples of some considerations used in parklet guidelines of other jurisdictions. Staff invites feedback from Commission on guidelines and standards they may desire to see in future parklet designs within Pinole in order to develop the Parklet Regulations and Guidelines. Below are some examples of considerations

as points to initiate discussion. Staff welcomes input on refining or expanding upon topics below, as well as ideas to add that were not listed below.

Safety & Traffic:

When reviewing parklets in other areas, a number of considerations were noted in the creation of the parklet. I have listed some of those considerations below:

- Street Safety. Roadways with 25 mph speed limit, unless the Public Works Department determines safety concerns addressed by applicant. Considers collision history on street/nearby intersections. Not to interfere with vehicles, bicycles, or pedestrians
- Use of Parking. Consider that they generally convert one or more parallel spaces or 3-4 angled spaces.
- View Obstructions. Not blocking driveway or intersection sight distances. For example, not within 20 feet of intersection or 10 feet of driveway, or placing it at least one space from the intersection
- Wheelstops. Wheelstops installed near the boundaries. 4 feet from the end of parklet desired and buffered space could accommodate curbside trash collection
- Utilities. Not obstructing or impeding access to utilities, hydrants, drain inlets, gutters, manhole covers, etc.
- Buffers/Barriers. Buffers could include planters, railings, cabling, or other appropriate buffer, reviewed by Public Works. Barrier or fortified railing, reviewed by Public Works
- Edge Visibility. Corners of parklets with reflective elements
- ADA. The compliance with ADA standards, wheelchair turning space and landing, accessible path of travel, 4 foot wide entry.
- Transitions. Have flush transition to the curb
- Surfaces. Slip resistant surfaces
- Lighting. Lighting, if planned for nighttime uses.
- Moveable Furniture. Furnishings should be weighed down. Portable heaters kept clear of flammable material

Aesthetics,

Aesthetics are important when developing parklets, due to the fact that they can create a destination point within the community. There are a number of ways to bring aesthetic value to parklets. I have listed some discussion points below regarding design principles that could be used in developing policies and guidelines.

- Beautification. Design could include a beautification element such as landscaping, artwork, or innovative architecture
- Materials. Consider if there are any preferred materials. Consider other aspects regarding desired materials, e.g., locally sourced materials, recycled materials, and easy to maintain or replace (consider removal graffiti)
- Prohibited Materials. Consider if certain materials are not desirable where they will be visible, such as plywood. Consider if there should be prohibition of some type of aspect of construction, like pouring concrete for platforms.
- Coverings. Consider if roofs, trellises, and tent shade structures should be allowed. Should umbrellas be used?
- Signage. Consider if limited signage for business names, hours, etc. are allowed.

Costs:

The cost of parklets will be borne by the applicant. Once the guidelines are established, applications and user's fee will need to be developed with this program. Some of the issues are listed below,

- City Review. Permit issuance fees and renewal fees. Planning, PW, police, fire reviews.
- Maintenance cost. Consider requiring a maintenance plan briefly describing how the owner would maintain it.

Economic Development:

Economic Development opportunities can be gained by using parklets. Parklets can be used for a lot of different activities that would benefit the City of Pinole as well as businesses that the parklets serve.

- Parklets would create additional seating for all restaurants and commercial establishments
- Parklets would create destination points, which would bring more residents and visitors to the City of Pinole
- Use Parklets as staging areas for events (wine tastings, IPA Beer festivals, small pop-ups shows, etc.

Recommendation:

Staff is recommending that the Planning Commission direct the Planning Ad-Hoc Design Review Committee to work with City Staff on developing policies and guidelines for parklets in the City of Pinole.