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2
3 **MINUTES OF THE REGULAR MEETING**
4 **PINOLE PLANNING COMMISSION**

5
6 **December 11, 2023**

7
8 **THIS MEETING WAS HELD IN A HYBRID FORMAT**
9 **BOTH IN-PERSON AND ZOOM TELECONFERENCE**
10

11
12 **A. CALL TO ORDER:** 7:02 p.m.
13

14 **B1. PLEDGE OF ALLEGIANCE**
15

16 **B2. LAND ACKNOWLEDGEMENT:** *Before we begin, we would like to acknowledge the*
17 *Ohlone people, who are the traditional custodians of this land. We pay our respects to*
18 *the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land*
19 *that Pinole sits upon, their home. We are proud to continue their tradition of coming*
20 *together and growing as a community. We thank the Ohlone community for their*
21 *stewardship and support, and we look forward to strengthening our ties as we continue*
22 *our relationship of mutual respect and understanding.*
23

24 **B3. ROLL CALL:**
25

26 Commissioners Present: Banuelos, Bender, Lam-Julian, Sandoval, Vice-Chairperson
27 Menis, Chairperson Benzuly
28

29 Commissioners Absent: Martinez
30

31 Staff Present: David Hanham, Planning Manager
32 Erica Gonzalez, Senior Associate, City Attorney's Office
33 Justin Shiu, Contract Planner
34

35 Vice-Chairperson Menis reported on ex parte communications and stated he had sent out
36 email messages about the meeting to his email list.
37

38 **C. CITIZENS TO BE HEARD:**
39

40 Anthony Vossbrink, Pinole, asked for the consideration of a police satellite station near
41 two of the City's major shopping centers located on Fitzgerald Drive and Trader Joe's on
42 Pinole Valley Road. He suggested the City of Pinole was not proactive in protecting its
43 citizens desirous to shop in the two centers, particularly during the holiday season or in
44 protecting the retail businesses in the area. The police blotter had shown around 60 to 80
45 percent of incidents occurred in the area up and down Fitzgerald Drive; there had been
46 inadequate police response times and there was concern with easy ingress/egress to the
47 Fitzgerald Drive corridor. He urged consideration of the satellite police station or foot
48 patrols rather than the City expending funds for fireworks displays, as an example. He
49 asked that the City consider a four-to-six-month trial for the satellite station, with some
50 security cameras.

1 Mr. Vossbrink added that although the City had hired a grant writer, the City had missed
2 the deadline for state grant funds to address retail thefts as opposed to other communities
3 in the Bay Area that had benefitted from those grant funds. He also asked of the status
4 of the caretaker's house, the new owner of the former Pinole Animal Shelter, lighting which
5 continued to need to be addressed on Pinole Valley Road near the Pinole Valley Shopping
6 Center and the fire trail cross bar on Wright Avenue near Pinole Valley Road, as well as
7 the Adobe Trail that was being used as a large dump.

8
9 Planning Manager David Hanham reported the request for a satellite police station was
10 outside the purview of the Planning Commission since it was a decision to be made by
11 the City Council and should be raised with the City Council. At this time, there were no
12 plans for the caretaker's home, staff was reviewing the situation with respect to street
13 lights to determine responsibility whether the City or PG&E, and he would speak with the
14 Public Works Director regarding the status of the other issues raised.

15
16 Vice-Chairperson Menis reported the City had access to several surveillance cameras in
17 the Fitzgerald Drive area as previously identified in a presentation to the City Council by
18 the Pinole Police Department.

19
20 **D. MEETING MINUTES**

21
22 1. Planning Commission Meeting Minutes from November 27, 2023

23
24 Vice-Chairperson Menis requested an amendment to Lines 36 through 38 of Page 6 of the
25 November 27, 2023 Planning Commission meeting minutes, as follows:

26
27 *Commissioner Banuelos cited the Burger King located on Fitzgerald Drive as an*
28 *example, which had been required to have a certain level of landscaping and noted*
29 *the City had fought for years to ensure the business met its conditions of approval.*

30
31 Commissioner Lam-Julian requested an amendment to Lines 11 through 14 of Page 8, as
32 follows:

33
34 *Commissioner Lam-Julian reported she had participated in a number of community*
35 *engagement events including Pinole Solar Eclipse, Movie Night in Fernandez Park,*
36 *served as an Interact Club advisor at Pinole Valley High School, Pinole Walk N Roll*
37 *Active Transportation Plan (ATP) meeting, Veterans Day at Fernandez Park,*
38 *canvassing for United Against Hate Week (UAHW), California vs. Hate Kick-Off Rally*
39 *at Civic Center in the City of Berkely and a Women's Leadership Conference in New*
40 *York.*

41
42 **MOTION** with a Roll Call vote to approve the Planning Commission Meeting Minutes from
43 November 27, 2023, as amended.

44
45 **MOTION: Banuelos**

SECONDED: Lam-Julian

APPROVED: 6-0

ABSENT: Martinez

46
47
48 **E. PUBLIC HEARINGS**

1 **1. Conditional Use Permit (CUP) 23-04 Anabi Shell Station Alcohol Sales Use**
2 **Permit**

3
4 **Request:** Consideration of a Use Permit request to allow the sale of beer and
5 wine for off-site consumption, under a Type 20 license, at the Anabi
6 Shell Station – 1401 Fitzgerald Drive. The project qualifies for a
7 CEQA exemption under CEQA Guidelines Section 15301.
8

9 **Applicant:** Anabi Shell
10 1401 Fitzgerald Drive
11 Pinole, CA 94564
12

13 **Location:** 1401 Fitzgerald Drive (APN 426-080-036)
14

15 **Staff:** David Hanham
16

17 Planning Manager Hanham presented the staff report dated December 11, 2023, and
18 recommended the Planning Commission adopt Resolution 23-09 approving Conditional Use
19 Permit (CUP) 23-04, which would permit the sale of beer and wine subject to conditions of
20 approval as contained in Attachment A to the staff report.
21

22 Responding to questions from the Planning Commission, Mr. Hanham and Erica Gonzalez,
23 Senior Associate, City Attorney's Office clarified the following:
24

- 25 • Condition 28 of Exhibit A, Conditions of Approval, was clarified. Alcohol could not be
26 sold between the hours of 2:00 and 6:00 a.m. but with the store open 24-hours, the
27 applicant would be required to have a plan in place to attempt to address any
28 problems that may arise that could negatively impact those living or working in the
29 neighborhood. If complaints were received from the citizenry or the Pinole Police
30 Department, the City may consider revocation of the Conditional Use Permit (CUP).
31
- 32 • Condition 28 was an over-arching condition to ensure all issues related to the sale of
33 beer and wine would be addressed. Other conditions may also be in play when
34 considering possible revocation of a use permit.
35
- 36 • While Condition 28, as written, may too broad, staff intended to provide the applicant
37 or permit holder with enough direction to know what their responsibilities were and
38 provide staff the ability to seek further review or enforcement of the conditions of
39 approval. Condition 28 had been determined to be sufficient for the CUP. Standard
40 conditions had been set forth consistent with the Pinole Municipal Code (PMC) and
41 any additional conditions imposed on the permit must have a relation to the Public
42 Convenience or Necessity (PCN) factors, as outlined in the staff report. Condition 28
43 had also been intended to be broad enough to address any negative impacts that
44 could affect the property.
45
- 46 • The Department of Alcohol and Beverage Control (ABC) determined that more than
47 five licenses to sell beer and wine off-site in a Census Tract would become an
48 overconcentration of that Census Tract.
49

- 1 • As noted in the staff report, ABC had indicated an overconcentration of off-site alcohol
2 licenses in Census Tract 3630; however, the City Council had approved a PCN which
3 had satisfied the ABC requirements to provide a license for alcohol sales where there
4 was an overconcentration in the Census Tract.
5
- 6 • Valero/7-Eleven which currently did not have a beer and wine license could make
7 such a request in the future but was located in a different Census Tract than the
8 subject application. Staff would have to do further research to identify the Census
9 Tract where the CVS Pharmacy was located.
10
- 11 • The Pinole Police Department reviewed projects regarding the sales of alcohol and
12 reviewed crime data for robberies and burglaries, as examples. If the Police
13 Department determined the use would not significantly add to those statistics the
14 Police Department typically informed staff it had no issues with the application. The
15 type of matrix used by the Police Department to identify crime statistics and how the
16 Police Department reviewed the sale of alcohol permits was not known and staff
17 acknowledged a request for that information to be provided in the future.
18
- 19 • There would be some small incremental increase to the City of Pinole in sales taxes
20 due to the sale of alcohol at the Anabi Shell Station.
21
- 22 • ABC's Type 20 license allowed for the sale of beer and wine for off-site consumption.
23 The Type 21 license allowed for the sale of distilled spirits. If the applicant requested
24 the sale of distilled spirits in the future that would result in a change in license type
25 requiring another PCN determination before the City Council and a modification to
26 the requested CUP.
27
- 28 • Staff would fact check the applicant's compliance with the Conditions of Approval.
29 Condition 7, in particular, required: *All staff within 90 days of employment receive*
30 *"responsible beverage service training." Applicant shall include these training*
31 *details as part of the "complaint response/community relations" which would be*
32 *checked periodically, and signage would be checked for compliance by the*
33 *Community Development Department. Condition 27 required: All employees shall*
34 *receive "responsible beverage service training," and any employee on duty*
35 *between 10:00 p.m. and 2:00 a.m. will be at least twenty-one (21) years of age,*
36 *and documentation of this training shall be retained on the premises and made*
37 *available upon request. Condition 7 would cover the timing of the training.*
38
- 39 • Finding 2, required for the approval of the CUP and the staff response, as shown
40 on Pages 8 and 9 of the staff report, was clarified. Until the use was in place, the
41 City was uncertain of the types of effects associated with the use. With the
42 conditions of approval, it was assumed the use would not be detrimental to the
43 health, safety, peace, morals, comfort, or general welfare of persons residing or
44 working in the neighborhood of such use or to the general welfare of the City. If
45 there were detrimental impacts, those impacts could lead to a possible revocation
46 of the CUP.
47
- 48 • If the Planning Commission found the findings could not be made since they were
49 too broad or staff had not met that burden, it could be the basis for denial.

- The Conditions of Approval could be amended to address or somehow correct the inability to make the findings for approval of the CUP; however, the purpose at this time was to make the findings as detailed in the staff report. The findings to be met had been set forth in Section 17.59.030 of the PMC, subsection (c).

PUBLIC HEARING OPENED

Bruce Evans, representing, Anabi Shell Station, 1401 Fitzgerald Drive, Pinole, thanked the Planning Department for its hard work on the application. He had nothing further to add that had not already been presented by staff but was grateful for the positive recommendation from City staff, the fact the Police Department had no opposition and that the City Council had adopted a PCN. He provided the background of the Anabi Family which had founded its first gas station in 1991. Some members of the family were retired law enforcement who had held numerous alcohol licenses across different states and who took their obligation seriously to be a good retailer and recognized the privilege of selling alcohol.

Mr. Evans advised that the Anabi Family had agreed to all of the conditions of approval and had a history of working with the Pinole Police Department. He reiterated that he was pleased to see the City Council had determined the Anabis were a good operator by approving the PCN.

Mr. Evans responded to some of the questions raised during the staff presentation and stated he was uncertain of the projected sales tax revenue. It was hoped there would be a boost in revenue in sales taxes to the City with the sale of beer and wine and other sales associated with those sales. He described the store as a "one stop shop," and reiterated that all conditions of approval were agreeable.

Summer Anabi, representing the Anabi Family, clarified the coolers with alcohol would be locked at night with keys; the point-of-sale system (POS) would not be available to scan anything after 2:00 a.m.; scanning would ensure all individuals were over 21 years of age; loss prevention performed undercover stings in all of their stores; employees were trained from day one as part of the employee package and the store would be remodeled with more lighting and be more inviting.

Further responding to questions from the Commission, Ms. Anabi reiterated the coolers with alcohol were currently locked manually with keys; the POS system would be unable to scan anything after 2:00 a.m. and in terms of sales tax increases and based on history there could be a 20 to 25 increase in overall sales. Also, as part of a remodel while the convenience store would remain the same and the location of the coolers would not change the sales counter would be relocated. In addition, there were no conditions of approval the City had imposed that the business had not already been required to comply as part of the ABC requirements.

Mr. Evans suggested a condition could be imposed to address the fact the coolers would be locked manually during the hours when alcohol sales were not permitted, which he emphasized was the current policy.

Mr. Hanham confirmed that could be added as an additional condition.

1 Anthony Vossbrink, Pinole, suggested the staff presentation was overkill and redundant with
2 all of the benefits and few, if none, of the downsides or the negatives of the application. As
3 someone who had a Master Degree in Business Administration (MBA), he had done his due
4 diligence and homework and he questioned the owner suggesting an increase of 20 to 25 in
5 net sales. He suggested that the majority of the sales taxes would be cannibalized by
6 surrounding retail and commercial businesses in the area including other businesses that
7 sold alcohol. Rather than attracting people from other cities to purchase alcohol until 2:00
8 a.m., which may negatively impact the surrounding neighborhood consisting of existing and
9 future residential developments, the proximity of easy ingress/egress out of the area, the fact
10 there were other licensed establishments in the area that also sold alcohol, he questioned
11 the staff recommendation for the approval of this application. He suggested that could set a
12 precedent for other businesses desirous to sell alcohol. He also suggested the status of a
13 liquor license for 7-Eleven should be known by staff.

14
15 Mr. Vossbrink asked the Planning Commission to table the item to the next meeting of the
16 Planning Commission to allow a review of the numbers, including hard numbers from the
17 Pinole Police Department, which should be provided in writing and which cited the figures
18 from the police blotter that had shown crime in the area.

19
20 PUBLIC HEARING CLOSED

21
22 Commissioner Lam-Julian wanted to see the matrix the Police Department had used to
23 determine the area had low crime rates.

24
25 Mr. Hanham advised he would have to obtain the hard data from the Police Department
26 which would require a continuance of the item.

27
28 Commissioner Bender asked under what conditions ABC would declare a moratorium for
29 Types 20 licenses since he understood the City of San Pablo was currently under a
30 moratorium.

31
32 Ms. Gonzalez was uncertain that would have any impact on the current license approved by
33 ABC but she could provide that information at a later date.

34
35 Vice-Chairperson Menis asked how different the hard data would be from what had been
36 presented at this time, to which Mr. Hanham suggested there could be additional information
37 on the types of reported crimes in the Fitzgerald Drive corridor with hard data from the Police
38 Department. He would request data for 1401 Fitzgerald Drive and inquire whether there had
39 been any type of crime at the location or whether it had been in the general area of 1401
40 Fitzgerald Drive.

41
42 Commissioner Banuelos suggested the data staff could get from the Police Department was
43 based on past experience the Police Department had recorded. He found the request for
44 more data to be irrelevant, although there was always talk about things occurring along
45 Fitzgerald Drive. He noted the City Council had already determined a PCN for this application
46 and he requested clarification on the sequence of the determination as to whether it should
47 have been the other way around and provided after the approval of the CUP.

1 Mr. Hanham explained that once there had been a determination of overconcentration, it was
2 the local agency that had to make the determination on any more alcohol sales in the
3 community. While the City had the ability to deny the request for a PCN, the City Council
4 had approved the PCN, which was the reason the application was now before the Planning
5 Commission.
6

7 Chairperson Benzuly suggested a motion could be made to defer the item to the next meeting
8 of the Planning Commission with a request for more information.
9

10 Commissioner Lam-Julian wanted a better understanding of the matrix the Police
11 Department used to allow an explanation of the threshold to the community. Absent that
12 information, when 7-Eleven opened the City may have this same question come up again.
13 In an effort to be transparent with the community moving forward she wanted that information
14 to be provided.
15

16 **MOTION** to table Conditional Use Permit (CUP) 23-04 Anabi Shell Station Alcohol Sales Use
17 Permit to the next meeting of the Planning Commission scheduled for January 8, 2024, with
18 the additional data, as requested.
19

20 Mr. Hanham asked whether Commissioner Lam-Julian was requesting the data for 1401
21 Fitzgerald Drive or data for all of Fitzgerald Drive from Appian Way to the freeway.
22

23 Commissioner Lam-Julian sought the data the Police Department was using as a matrix and
24 how the Police Department had identified the area as a low incident area versus pinpointing
25 a property or a corridor to allow better understanding of future developments.
26

27 Mr. Hanham asked whether the request was to receive data from the Police Department
28 regarding crimes that had been committed within the Fitzgerald Drive corridor and the
29 threshold for what a significant increase in crime would be; i.e., if there were 30 incidents
30 along the corridor none of which had occurred at 1401 Fitzgerald Drive, as an example.
31

32 Chairperson Benzuly referenced the detail in the staff report regarding the input from the
33 Police Department and suggested there was some measure the Police Department used for
34 the area and the established threshold.
35

36 Mr. Hanham sought clarity if the item was to be continued. He was trying to ensure the
37 Planning Commission was provided the information that had been requested so that when
38 the item returned for consideration it was not again continued for more information.
39

40 Commissioner Banuelos suggested the starting point of the matrix should be clarified and he
41 suggested it should be around the immediate area of the property at 1401 Fitzgerald Drive.
42

43 Vice-Chairperson Menis referenced Pages 3 and 4 of the staff report and read into the record
44 point A.3 as part of the review process, which stated: *The extent to which the crime*
45 *reporting district in which applicant is located exceeds the average for crime reporting*
46 *districts subject to the jurisdiction of the Pinole Police Department, and the staff response*
47 *which read: A formal review by the Police Department has determined that crime reporting*
48 *for the district does not exceed the average for crime reporting districts. The Police*
49 *Department did not raise any objections or concerns related to the alcohol sales request.*

Vice-Chairperson Menis also suggested that A.3 was unclear by design, and did not identify the details. He suggested a focus on the response to A.3 allowed for a more focused response and details on exactly how many crimes were committed in the district, with a comparison to allow a calculation of the average of the types of crimes committed.

Commissioner Bender agreed with the sentiments, the information was nebulous and as an average citizen, crime statistics issued on a regular basis were nebulous, but property in the area of 1401 Fitzgerald Drive popped up in the police reports. He suggested it would be more appropriate if more detail was provided from all of Fitzgerald Drive from Appian Way to the City limits.

Ms. Gonzalez advised there had been no second to the motion.

Vice-Chairperson Menis asked that the motion be clarified as to whether it would include direction to staff to give a more detailed response to A.3 and whether the motion could be phrased differently.

Commissioner Lam-Julian restated her motion to direct staff to reach out to the Police Department and request their matrix to determine the different levels of crime in their formal review and provide that data to the Planning Commission for all of Fitzgerald Drive to the City boundaries.

On the motion, Vice-Chairperson Menis asked whether the motion would include the statement referenced under A.3, as shown on Pages 3 and 4 of the staff report.

Mr. Hanham advised that the data staff had received would allow a discussion of the calculations and averages. He noted that most of the crime incidents that had been reported were related to businesses across the street from the subject site and the Planning Commission would have to review that data when received. If the Planning Commission determined the findings had not been met after receipt of the additional data, the Planning Commission could vote accordingly on the project.

Ms. Gonzalez clarified the motion was to continue the current agenda item, seek further information to a date certain for the purposes of public notification and the item could be continued to the next scheduled Planning Commission meeting on January 8, 2024.

Mr. Hanham confirmed the next meeting of the Planning Commission would be January 8, 2024. Whether that would be enough time for staff to get the raw data from the Police Department, he was confident he could obtain the information in a timely manner with an explanation of the data to be included in the next staff report for the project.

MOTION to continue Conditional Use Permit (CUP) 23-04, Anabi Shell Station Alcohol Sales Use Permit, to a date certain of January 8, 2024, with staff directed to reach out to the Pinole Police Department and request their matrix in determining the different level of crime in their formal review and provide the data to the Planning Commission on all of Fitzgerald Drive to the City boundaries.

MOTION: Lam-Julian

SECONDED: Bender

APPROVED: 6-0-1

ABSENT: Martinez

F. OLD BUSINESS: None

1
2 **G. NEW BUSINESS**
3

4 **1. Planning Commission Regular Meeting Schedule 2024**

5 Reviewing and Adopting the Planning Commission Regular Meeting
6 Schedule dates in 2024
7

8 The Planning Commission acknowledged the receipt of the Planning Commission Regular
9 Meeting Schedule for 2024.
10

11 Vice-Chairperson Menis suggested the date proposed for November 25, 2024 be modified
12 to read *Monday November 18, 2024*.
13

14 Mr. Hanham clarified, when asked, that potential joint meeting dates with the City Council
15 had not been included on the meeting schedule, would be considered a Special Meeting,
16 had not been scheduled at this time and would be held on a non-Planning Commission
17 meeting date.
18

19 PUBLIC COMMENTS OPENED
20

21 There were no comments from the public.
22

23 PUBLIC COMMENTS CLOSED
24

25 **MOTION** to adopt the Planning Commission Regular Meeting Schedule 2024, as modified.
26

27 **MOTION: Menis**

SECONDED: Banuelos

APPROVED: 6-0-1

ABSENT: Martinez
29

30 **H. CITY PLANNER'S / COMMISSIONER'S REPORT**
31

32 **1. Community Engagement Opportunities – Forums/Workshops/Town**
33 **Hall Meetings**
34

35 Mr. Hanham reported that during the November 27, 2023 Planning Commission meeting,
36 Commissioner Lam-Julian had sought an agenda item to consider community engagement
37 opportunities. He asked Commissioner Lam-Julian to define her request and after a
38 discussion the Planning Commission may act on the item, consider an ad-hoc subcommittee
39 or direct staff to provide more information on what other cities were doing.
40

41 Commissioner Lam-Julian suggested it would be a good idea for staff to review what other
42 municipalities had done and follow-up on the work of the Sustainability Fellow to make it clear
43 what the Planning Commission did, what projects had been completed, the status of projects
44 under consideration, and to allow feedback for what people wanted to see in the City.
45

46 Commissioner Sandoval suggested it would be best to direct City staff to do the outreach in
47 conjunction with the Planning Commission to tap into some of the City's resources on
48 workshops or popups, which was a great idea for those who had questions on what was
49 occurring in the City.
50

Mr. Hanham explained that each major project had its own website available on the City's

1 website. There were a number of current projects underway and staff could answer
2 questions from the public at a booth or at community events/popups subject to approval from
3 the City Manager. Planning Commission workshops could be considered for certain projects,
4 which had been done virtually during the pandemic. He suggested workshops in the Council
5 Chambers or Senior Center would be appropriate and noted that most cities held public
6 workshops and information was posted on city websites. In some cases, there were full
7 Planning Commission meetings/workshops for a planning 101 discussion or outreach when
8 a project was initially proposed. He clarified in some instances he could not provide a lot
9 information about a project absent an application but general information could be provided
10 to better inform the community at a popup or in a workshop format.

11
12 Vice-Chairperson Menis referenced the City's Communication and Engagement Plan and
13 highlighted the recommendation for a Citizens Academy. He asked whether that was
14 something the Planning Commission could consider under its purview.

15
16 Mr. Hanham requested direction whether the Planning Commission was asking for more
17 workshops on projects or on how the Planning Commission worked.

18
19 Commissioner Lam-Julian sought an update and review of projects the City had completed
20 or was working on and the various stages of the projects. She suggested the development
21 of a quick fact sheet for the community should be considered. While they were engaged, the
22 public could provide feedback for other businesses the public wanted to see in the
23 community. She wanted to address the digital divide and the fact not everyone had a
24 computer and were able to attend public meetings in person. She had contact with many
25 people who were unable to attend public meetings, the City website was under construction
26 and people would like to know more about what was happening in the City and be allowed
27 the opportunity to provide feedback on what businesses they wanted to see in the City.

28
29 Chairperson Benzuly understood that staff was already doing outreach that was project or
30 electronic based. He understood the request was for the same thing but with more in-person
31 opportunities, which Commissioner Lam-Julian confirmed.

32
33 Vice-Chairperson Menis again referenced the Citizens Academy as part of the
34 Communications and Engagement Plan but which could be more complicated than a
35 potential quarterly lookback and in-person workshop.

36
37 Mr. Hanham suggested the Planning Commission could consider assigning an ad-hoc
38 subcommittee consisting of two Planning Commissioners to allow a discussion of what was
39 desired and allow him to go over everything currently involved, what the Planning
40 Commission wanted to do in the future, prepare project fact sheets and the like. He would
41 like to sit down with two Commissioners as part of that ad-hoc subcommittee to get a better
42 idea of the recommendation and bring a formal recommendation back to the full Planning
43 Commission. He suggested an ad-hoc subcommittee could meet two to three times to define
44 the recommendation.

45
46 Mr. Hanham emphasized the request would have to be forwarded to his Department Head
47 and the City Manager. He added that since the recommendation for an ad-hoc subcommittee
48 had not been agendized, he would place on item on the next agenda for consideration.

49
50 Vice-Chairperson Menis again asked that staff note the Citizens Academy as part of the

1 Communications and Engagement Plan and link into that since it was possible something
2 had been done towards that effort at the City level.

3 4 **2. City Planner's/Commissioner's Report**

5
6 Mr. Hanham reported he had met with the developers for Pinole Vista, who were moving
7 forward with the affordable housing agreement and parcel map, although the start of
8 construction had not yet been identified given current market conditions. The developer had
9 time and an extension could be requested in the future, if needed. As to the status of projects,
10 BCRE had applied for a grading permit and staff was working with the developer on when
11 construction would commence; Appian Village had completed its rough grading and security
12 of the property for the winter with a Final Parcel Map expected in the spring, and the
13 developer had submitted some off-site improvement plans; Vista Woods was working with
14 staff for a temporary occupancy permit for Wings A and B; SAHA had poured the foundation
15 and was working on framing; Pinole Shores II had sent out contracts for the environmental
16 work and a new set of plans had been submitted and the Planning Commission would likely
17 see the project sometime in May 2024.

18
19 Additionally, staff continued to work on the Objective Development Design Standards with
20 the Ad-Hoc Subcommittee having completed changes to the Three Corridors Specific Plan,
21 Old Town Design Guidelines and would look at the Zoning Ordinance next. An update would
22 be provided to the Planning Commission in the next couple of months. Staff was also working
23 on the Safety and Environmental Justice Elements and the parklet program with meetings to
24 be scheduled with some of the downtown property owners/businesses in the San Pablo
25 Avenue Corridor.

26
27 Mr. Hanham clarified, when asked, that most of the restaurants in the downtown were
28 interested in what the City had proposed for the parklet program with feedback sought from
29 the property/business owners to be provided to the City Council when the item returned to
30 the City Council for consideration. When asked if he had reviewed the City of El Cerrito's
31 parklet plan for San Pablo Avenue, he had not but he could look into it.

32 33 **PUBLIC COMMENTS OPENED**

34
35 Anthony Vossbrink, Pinole, asked about the status of Nick the Greek in the Trader Joe's
36 Shopping Center; former Happy Sashimi Restaurant property; the property owners' request
37 for assistance regarding the easement and garbage bin situation with respect to the new
38 Uptown Yard adjacent to the Bank of Pinole building, and the Tara Hills buildout.

39
40 Mr. Shiu advised that Nick the Greek was working with the Building Division on building
41 permits for the business.

42
43 Mr. Hanham reported with respect to the Tara Hills project and the Safeway parcel that he
44 understood the property owners were working on a plan for the property and were working
45 with the tenants in other buildings for new leases. Once a plan had been submitted to the
46 City it would be considered by the Planning Commission. As to Uptown Yard, staff had been
47 working with the property owner for some time to determine whether the City could relieve
48 some of the issues but there were some garbage cans for the businesses to use and the
49 property owner needed to work with the Public Works Department on the easement issue.
50 Mr. Hanham added there had been interest for uses at 890 San Pablo Avenue and some of

1 the vacant lots along San Pablo Avenue.

2
3 PUBLIC COMMENTS CLOSED

4
5 **I. COMMUNICATIONS**

6
7 Commissioner Lam-Julian reported she had helped drop off meals as part of RotaCare Bay
8 Area; attended the Interact Club and thanked the students for their work at the Christmas
9 tree lighting ceremony and for providing feedback for what they wanted to see in Pinole. She
10 had also participated in a ride-along with Planning Manager Hanham at all of the City facilities
11 to understand current conditions.

12
13 Vice-Chairperson Menis reminded Commissioners that meals would be provided to low-
14 income persons over 55 years of age at the Senior Center on December 12, 2023.

15
16 **J. NEXT MEETING:**

17
18 The next meeting of the Planning Commission to be a Regular Planning Commission
19 Meeting scheduled for January 8, 2024 at 7:00 p.m.

20
21 **K. ADJOURNMENT: 9:28 p.m.**

22
23 Transcribed by:

24
25 Sherri D. Lewis
26 Transcriber