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**MINUTES OF THE
PINOLE PLANNING COMMISSION**

September 28, 2015

A. CALL TO ORDER: 7:06 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL:

Commissioners Present: Bender, Brooks, Martinez-Rubin, Tave, Thompson,
and Chair Toms

Commissioners Absent: Commissioner Kurrent

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 August 24, 2015**

MOTION to adopt the Consent Calendar, as shown.

MOTION: Thompson

SECONDED: Brooks

APPROVED: 6-0-1

ABSENT: Kurrent

E. PUBLIC HEARINGS:

1. **Conditional Use Permit 15-03/Design Review 15-11: LifeLong Medical
Care Health Center**

Request: Consideration of a use permit request to operate an
approximately 6,600 square foot medical care center within an
existing approximately 9,000 square foot building and design
review of related on-building signage.

Applicant: Stuart Stoller and Alexis Burk
SGPA Architecture
200 Pine Street, Suite 500
San Francisco, CA 94104

1 **Location:** 806 San Pablo Avenue; APN 402-390-001

2
3 **Project Planner:** Winston Rhodes

4
5 Planning Manager Winston Rhodes presented the staff report dated September
6 28, 2015, for a use permit to operate an approximately 6,600 square foot medical
7 care center within an existing approximately 9,000 square foot building and design
8 review of related on-building signage. The Planning Commission Development
9 Review Subcommittee reviewed the project on September 9, 2015, and sought
10 more information on the proposed project description, hours of operation, and the
11 maximum hours envisioned for the center during evenings and weekends. The
12 applicant proposed health center/clinic hours Monday through Sunday, 8:00 A.M.
13 to 8:00 P.M., anticipated 14 staff members at the facility, and 71 patients per day
14 of all ages. The peak activity period would depend on the patients and their
15 needs.

16
17 The project complies with the goals and policies of the General Plan and
18 associated land use policies, and had been conditioned to include a transit rider
19 shelter along San Pablo Avenue to improve the comfort of those wishing to go to
20 or from the health center by bus; serve the more transit dependent patients
21 seeking care; make transit and ride share information available to visitors to the
22 health center; health center employees to park in the least convenient parking
23 spaces to help ensure parking would be readily available for ill patients and the
24 disabled; and require the installation of wheel stops near the building to prevent
25 serious accidents.

26
27 The two on-building signs proposed were consistent with the approved Pinole
28 Shores Business Park Sign Program in terms of letter size and location, although
29 further details would be required as part of the construction plan design review if
30 the use permit was approved. A draft condition of approval had been proposed to
31 require the sign design to be consistent with the previously approved sign program
32 for the business park, to be submitted for review and approval by staff prior to the
33 issuance of a building permit to confirm consistency with the sign program in all
34 respects.

35
36 Mr. Rhodes added that revised conditions of approval had been provided at the
37 dais to reflect the addition of one new condition that had resulted from discussions
38 with the Fire Department. The applicant would have to enter into a reimbursement
39 agreement with the City in the event unreimbursed emergency calls for medical
40 service reached certain thresholds, identified as 10 service calls per month for two
41 consecutive months or 50 emergency calls for service in a given year, which had
42 been discussed with the applicant.

43
44 Mr. Rhodes recommended the Planning Commission approve the Draft Resolution
45 approving Use Permit 15-03 and Design Review 15-11, with the conditions as

1 shown and as revised.

2
3 Responding to the Commission, Mr. Rhodes suggested the applicant clarify how
4 the health center will handle the disposal of hazardous medical waste materials.
5 He further clarified the intent of the reimbursement agreement which would
6 address how reimbursement would occur and which would be tracked by the Fire
7 Department.

8
9 PUBLIC HEARING OPENED

10
11 NANCE ROSENCRANZ, Director of Strategic Planning, LifeLong Medical Care
12 Health Center, commended staff for being responsive, available, and helpful
13 during the application process. She described the background of LifeLong Medical
14 Care Health Center, a non-profit organization which had started in 1976; identified
15 LifeLong's mission statement; program models, and cutting edge medical and
16 dental programs offered as part of the commitment to improve the health of the
17 community; described existing facilities in the LifeLong Medical Care Health Center
18 system in the Bay Area; discussed the number of expected patient visits and
19 employees; use of sustainable materials used in their facilities; layout of a typical
20 interior floor plan, services and amenities provided for the health care centers; and
21 the high quality care services offered.

22
23 Ms. Rosencranz explained that most LifeLong Medical Care Health Centers
24 operated typically from 8:00 A.M. to 5:00 P.M., with at least one evening and
25 Saturday morning depending upon the location. Although LifeLong had sought a
26 wide range of hours of operation in its application, it did not intend to be open
27 every day until 8:00 P.M., and seldom would be open on Sundays other than
28 during flu season or in the event of an epidemic. LifeLong had two urgent care
29 centers; one in the City of San Pablo and an upcoming location in the City of
30 Berkeley. The remaining health care centers were appointment driven.

31
32 The proposed health care center would be marketed to Pinole residents, seniors
33 and neighboring communities, with 71 patients anticipated per day and with 9 to 12
34 patients at any given time. The full range of medical, dental, and wellness services
35 were identified, all in an attempt to improve access to preventative care, improve
36 chronic disease management, and ensure people lived healthy lives.

37
38 In response to the Commission, Ms. Rosencranz advised that enrollment for
39 LifeLong services involved only a telephone call, with an effort made to provide a
40 match for uninsured individuals; approximately 70 percent of LifeLong patients
41 were insured due to changes in the Affordable Care Act; uninsured individuals paid
42 based on a sliding pay scale; LifeLong services would not be dedicated only to
43 Pinole residents but open to anyone walking in the door; approximately 70 percent
44 of LifeLong patients lived within three miles of the health care center; and the
45 facility had an auxiliary room which could be used as a waiting room to

1 accommodate larger crowds in the event of an emergency such as a flu epidemic.
2 People suffering from serious mental illness would be treated through the County
3 Mental Health Care system, and LifeLong partnered with that system.
4

5 Ms. Rosencranz described LifeLong's preventive mental health programs as part
6 of its other health care centers and partnership with some local school districts
7 which offered medical, dental, and leadership services. The Pinole LifeLong
8 facility would be funded through the Affordable Care Access Grant, an ongoing
9 grant as long as Congress continued to appropriate funding in the amount of
10 \$650,000 each year for the Pinole facility and a small facility located in Rodeo.
11 Grant funding covered half of the operating expenses while the remainder was
12 covered through insurance reimbursement and sliding revenue.
13

14 Ms. Rosencranz spoke to the number of ambulance calls in the San Pablo area,
15 which she acknowledged were high due to the closure of Doctor's Medical, and
16 noted that LifeLong did not have an agreement with San Pablo Emergency
17 Services.
18

19 Chair Toms reiterated the Planning Commission Development Review
20 Subcommittee discussions which had suggested a wider time period for the hours
21 of operation to offer flexibility.
22

23 PUBLIC HEARING OPENED

24
25 ROMAN FAN, 2515 Faria Avenue, Pinole, commended the work of LifeLong and
26 urged the Planning Commission to approve the application.
27

28 DUSTIN BAINTO, 2476 Fitzpatrick Street, San Pablo, a Clinical Health Care
29 Assistant with a local housing program who was familiar with the work of LifeLong
30 and the opportunities for integrative care, supported the application which would
31 create greater access to underserved patients in the community.
32

33 PUBLIC HEARING CLOSED

34
35 Mr. Rhodes clarified that Condition 14 of Use Permit 15-03, had been intended to
36 ensure sufficient right-of-way behind the sidewalk of the current bus stop at San
37 Pablo Avenue adjacent to the Pinole Shores Business Park to add a rider shelter.
38 The condition had been discussed with the applicant who understood its value to
39 clients, with WestCAT considered to be a logical partner, and with the City to either
40 coordinate the installation or oversee the design specifications of the rider shelter
41 with the involvement of the affected property owners.
42

43 Commissioner Thompson expressed concern with the project and zoning for the
44 property and recommended it be situated closer to Kaiser and more in keeping
45 with the Three Corridor Specific Plan; expressed concern it could draw people

1 from other areas; suggested the client base should be considered in terms of what
2 could be brought to Pinole; found that LifeLong had received negative reviews on
3 Yelp, which had raised concerns; and concern with calls for emergency service
4 given the closure of the fire station in the Pinole Valley which could affect existing
5 Pinole residents.

6 The majority of the Commission recognized the current need for a medical clinic in
7 the community; recognized a non-profit could not bear the costs of building a new
8 building; thought more traffic congestion would occur near the Kaiser center if the
9 LifeLong health center was located near that facility; the majority opinion was that
10 the proposed location would be better for medical emergency calls for service
11 given that traffic congestion was not as great in that area of San Pablo Avenue
12 where the project is proposed; little weight was given to the reviews on Yelp; the
13 health care center would provide medical care to those who did not have access;
14 recognition that medical providers were difficult to find; most patients would visit
15 the facility through appointments only, self-regulating the facility; there was support
16 for flexible and expanded hours of operation to 8:00 P.M.; and confidence the
17 applicant would comply with all State, federal, and local regulations.

18
19 Mr. Rhodes commented that the existing occupant of the building where LifeLong
20 would locate includes a dentist's office. He had spoken with the existing dentist
21 who currently occupies a portion of the building who had suggested the existing
22 business park was a desirable location for her clients, but who wanted assurance
23 LifeLong would not negatively affect the building, parking, and landscaping, which
24 concerns would be addressed through conditions of approval. He reported the
25 City's public noticing requirement had been expanded in this case, with notices
26 mailed to all property owners within 1,000 feet of the subject site, beyond the City's
27 300-foot notification requirement, in recognition of the uniqueness of the
28 application.

29
30 **MOTION** to adopt draft Resolution 15-03, Resolution of the City of Pinole,
31 Approving a Conditional Use Permit (CUP 15-03), and Design Review (DR 15-11)
32 request to operate an approximately 6,600 square foot medical care center within
33 an existing approximately 9,000 square foot building and design review of related
34 on-building signage at 806 San Pablo Avenue., subject to the conditions as shown,
35 as revised, and as identified by staff.

36
37 **MOTION: Brooks**

SECONDED: Bender

APPROVED: 5-1-1

NOES: Thompson

ABSENT: Kurrent

40
41 Mr. Rhodes identified the 10-day appeal process of a decision of the Planning
42 Commission in writing to the City Clerk.

43
44 **F. OLD BUSINESS:** None

1 **G. NEW BUSINESS:** None

2
3 **H. CITY PLANNER'S / COMMISSIONERS' REPORT:**

4
5 Mr. Rhodes reported building construction plans had been received for plan
6 check for three of the four buildings in the Gateway Shopping Center; an
7 environmental document was anticipated to be ready soon for the proposed
8 Verizon cell site on Pfeiffer Lane; another environmental document for the
9 proposed CVS project on Canyon Drive was anticipated later in the year which
10 included the relocation of two wireless facilities; a medical office building/eye
11 surgery center submitted an application for property located on the corner of
12 Henry Avenue and Pinole Valley Road on the Kaiser side; and an application
13 had been submitted for extensive remodeling and rehabilitation of the East Bluff
14 Apartments complex. He recognized the retirement of the Development
15 Services Director/City Engineer Dean Allison on September 11 after ten years of
16 service to the City, and reported that the position of Public Works Director/City
17 Engineer was being filled on an interim basis by an on-call consultant.

18
19 Chair Toms asked that the environmental document for the Pfeiffer Lane project
20 recognize the project was located in the valley near a previous application in the
21 park and urged staff to ensure the public was educated at the beginning of the
22 process that a decision on a cell application pursuant to federal law could not be
23 based on the fear of health issues. She also reported that the Citizens Bond
24 Oversight Committee had met this date at the Pinole Valley High School site,
25 had viewed the grading, and had received reports from the resident engineer.
26 She also reported that the Skate Park had opened in the valley and she
27 encouraged everyone to visit the facility which was well used.

28
29 Commissioner Thompson clarified with staff that the City had not yet received
30 approval for the long-range Property Management Plan from the State which
31 would affect all public property originally acquired with redevelopment funds, and
32 that the City had entered into a lease agreement with the developer of the
33 Gateway Shopping Center, which developer would gain ownership of the
34 property until such time as the agreement was approved.

35
36 Chair Toms affirmed there was no new information from the Department of
37 Finance on the long-range Property Management Agreement.

38
39 **I. COMMUNICATIONS:** None

40
41 **J. NEXT MEETING:**

42
43 The next meeting of the Planning Commission will be held on Monday, October
44 26, 2015 at 7:00 P.M.

1 **K. ADJOURNMENT: 8:25 P.M.**

2

3 Transcribed by:

4

5

6 Anita L. Tucci-Smith

7 Transcriber