



PINOLE PLANNING COMMISSION MEETING AGENDA

**December 8, 2025
7:00 PM**

**Attend in Person: PINOLE CITY COUNCIL CHAMBERS - 2131 PEAR STREET
OR**

Attend VIA ZOOM TELECONFERENCE – Details provided below

How to Submit Public Comments:

In Person:

Attend meeting at the Pinole City Council Chambers, fill out a yellow public comment card and submit it to the City Clerk.

Via Zoom:

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/86505375301>

Webinar ID: 865 0537 5301

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 5 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 and press *6 to unmute. To comment with your video enabled, please let the City Clerk know you would like to turn your camera on once you are called to speak.

Written Comments:

Please submit public comments to Planning Staff before the meeting via email to ghanham@pinole.gov. Please include your full name, city of residence and agenda item you are commenting on.

OTHER WAYS TO WATCH THE MEETING

LIVE ON CHANNEL 26. They are retelecast the following week. The Community TV Channel 26 schedule is published on the city's website at www.pinoles.gov.

VIDEO-STREAMED LIVE ON THE CITY'S WEBSITE, www.pinoles.gov 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 dhanham@pinoles.gov.

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 City Clerk's Office at (510) 724-8928. Notification 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.

Note: Staff reports are available for inspection on the City Website at www.pinoles.gov. You may also contact the City Clerk via e-mail at hbelle@pinoles.gov.

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.

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.

Ralph M. Brown Act. Gov. Code § 54950. In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. 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.

D. WORKSHOP

1. Parklets and Outdoor Dining Workshop

E. ROLL CALL

F. 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.

G. MEETING MINUTES:

1. Planning Commission Meeting Minutes for October 27, 2025

H. 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.

1. Uptown Yard (CUP19-09 & DR19-14) Use Permit Review and Modification [CONTINUED TO JANUARY 26, 2026]

I. OLD BUSINESS

J. NEW BUSINESS

1. Planning Commission Regular Meeting Schedule 2026

K. CITY PLANNER'S/COMMISSIONER'S REPORT

L. COMMUNICATIONS

M. NEXT MEETING(S)

1. Planning Commission Regular Meeting on January 12, 2026 at 7:00PM

N. ADJOURNMENT

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

David Hanham
Planning Manager
POSTED: _____

DRAFT

MINUTES OF THE REGULAR MEETING
PINOLE PLANNING COMMISSION

October 27, 2025

THIS MEETING WAS HELD IN A HYBRID FORMAT
BOTH IN-PERSON AND ZOOM TELECONFERENCE

A. CALL TO ORDER: 7:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. 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.*

D. ROLL CALL

Commissioners Present: Bender, Huey, Lam-Julian, Uch, Vice-Chairperson Menis, Chairperson Sandoval

Commissioner Absent: Martinez

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

Vice-Chairperson Menis reported on his ex-parte communications to his email list about the topics on the meeting agenda and events happening in the City.

E. CITIZENS TO BE HEARD

Cathy McFarland, suggested the City of Pinole stop the State of California's prohousing agenda which was taking Pinole down the rabbit hole financially, structurally and environmentally. The decisions the City was making were overloading Pinole's infrastructure and gridlocking City streets at an alarming rate, all while wanting homeowners to pay the price now and in the future. The City was taking commercial properties that could generate a stable income and changing them into high density housing, slowly dissolving the financial sector and adding financial difficulties for the City in the long term. She noted that 556 new units had been approved in a 1.4-mile radius bringing all new construction to a total of 618-units. In August, she understood a mix of ground floor retail space, residential units and amenities for the vacant Safeway property had been recommended.

1 Ms. McFarland opposed any more high-density housing and rezoning in Pinole to meet
2 the state’s quest for affordable housing. She pointed out when one applied for Medi-Cal
3 they received \$600 for maintenance needs for food, housing and clothing each month and
4 anything above that amount was in excess and went towards the share of costs. She
5 suggested the state was out of touch with reality. The \$650 received in infrastructure
6 money was nothing over the future care of the lifetime of all new properties and residences
7 upcoming needs, which totaled \$1,051.71 for each new unit. If one were to purchase a
8 single-family home at the current \$430 per square foot rate in Pinole, one could purchase
9 a 1,477 square foot home. She also opposed cannabis shops in Pinole and selling out
10 the integrity of the City for money. If the City continued down those two avenues, the City
11 should approve in good faith, a three- to five-story apartment complex or cannabis shop
12 across the street from City Hall and the vacant grocery store lot. Then one would feel and
13 experience the total impact of the City’s decisions that affected everyone on a daily basis.
14

15 Knut Grossmann, referenced the 154-unit Appian Village development being built along
16 Mann Drive and Appian Way along the route he took to work daily. He commented on the
17 proximity of a nearby school and the number of traffic lights located within a quarter mile
18 of each other, which appeared to be out of sync and did not acknowledge commute traffic
19 periods. There were two exits from the construction site into Appian Way, which had
20 already caused chaos and would only get worse once construction was complete. He
21 asked whether the traffic lights could be synced or intelligent traffic signals installed that
22 could monitor the traffic and be adjusted accordingly.
23

24 In response to the public comment, Planning Manager David Hanham reported that once
25 all signals were up and operational, City staff would work with Contra Costa County to
26 sync the traffic lights, particularly during peak times and school periods.
27

28 **F. MEETING MINUTES**

29 1. Planning Commission Meeting Minutes for September 22, 2025

30 **MOTION** with a Roll Call vote to approve the Planning Commission Meeting Minutes for
31 September 22, 2025, as shown.
32

33 **MOTION: Sandoval** **SECONDED: Bender** **APPROVED: 5-0-**

34 **2**

35 **ABSTAIN: Huey**
36 **ABSENT: Martinez**
37

38 **G. PUBLIC HEARINGS:**

39 1. **Conditional Use Permit UP25-0004: QuickEMart Alcohol Sales**

40 Planning Manager David Hanham presented the staff report dated October 27, 2025. He
41 recommended the Planning Commission adopt Resolution 25-09, as contained in
42 Attachment A, approving a Type 20 (Beer and Wine) License for the QuickEMart located
43 at 1477 Fitzgerald Drive.
44

45 Responding to questions from the Planning Commission, Mr. Hanham and Erica
46 Gonzalez, Senior Associate, City Attorney’s Office, offered the following:
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- Acknowledged the suggestion that Conditions of Approval 3 and 17 of Exhibit A, Conditions of Approval: QuickEMart Alcohol Sales Conditional Use Permit, appeared to be redundant. (Bender)
- Clarified the application was for a *Type 20 License* which permits the sale of beer and wine for off-site consumption and not a Type 41 License (Beer and Wine) as shown in the staff recommendation on Page 1 of the October 27, 2025 staff report. (Vice-Chairperson Menis)
- Clarified the intent of Conditions 25 and 27 of Exhibit A, with the applicant required to comply with each condition as written. (Vice-Chairperson Menis)
- Acknowledged that the maintenance of the trash enclosures would be the responsibility of the shopping center, although the applicant would be responsible for their own trash and be required to ensure the subject area was kept clean. (Chairperson Sandoval)
- Clarified the number of requests to sell alcohol in Pinole that had previously been approved by the City and the process of declaring a Public Convenience and Necessity (PCN) clause, which allowed the City to address overdue concentration. Clarified the Department of Alcohol and Beverage Control (ABC) may also determine an oversaturation in the City and a moratorium could be imposed. The PCN allowed for an exemption within the concentrated area and the ABC provided that oversight. (Chairperson Sandoval)

PUBLIC HEARING OPENED

Sujan Galetam, speaking on behalf of the applicant, commented the applicant had been running the business. Having a beer and wine license would help the market. The business was the applicant's lifeline and he took care of his daughter, who was fighting cancer.

PUBLIC HEARING CLOSED

Commissioner Lam-Julian recognized there had been several permit requests for the approval of the sale of alcohol. She asked about the threshold for the average approval for such requests from the Police Department so the public could better understand how decisions were made.

Vice-Chairperson Menis understood it was the City Council's decision to issue the finding for a PCN. While the City Council recently took action on the PCN as a Consent Calendar item and found it was not particularly controversial, he wanted to see at some point in the future a breakdown of the average crime rates in the City of Pinole associated with these types of applications. He recalled the Planning Commission had this discussion in the past and having that data point would be helpful for the Planning Commission and the public as a whole. Based on the applicant's submission, which consisted of handwritten notes, he could not find the request would create a public disturbance or public health risk, but at some point and over time there could be a broader accumulation of alcohol sales.

1
2 At this time, Vice-Chairperson Menis requested the following revisions to Exhibit A:
3

- 4 • Condition 5, be revised to read: *A copy of the conditions of approval shall be kept*
5 *on premises and available upon request.*
6
- 7 • Condition 6, be revised to read: *All staff within 90 days of employment will*
8 *receive “responsible beverage service training.” Applicant shall include these*
9 *training details as part of the “complaint response/community relations.”*
10
- 11 • Condition 18, be revised to read: *Operators of the business shall take all*
12 *reasonable effort to have the property owners maintain the removal of trash on*
13 *a regular and as-needed basis.*
14

15 Speaking to Condition 18, Ms. Gonzalez recommended the condition be worded in such a
16 way where the trash receptacles would be those that were within the business owner’s
17 control to ensure a distinction between imposing a condition on the property owner or the
18 applicant/operator. In this case, the intent was to impose a condition on the
19 applicant/operator.
20

21 Vice-Chairperson Menis recommended Condition 18 be revised to read: *Trash receptacles*
22 *under the control of the applicant shall have all trash removed on a daily or as-needed basis.*
23 He continued his recommended revisions to Exhibit A, as follows:
24

- 25 • Condition 19, be revised to read: *The applicant shall be responsible for*
26 *maintaining the area free of litter, that area which is in front of and adjacent to*
27 *the premises over which they have control, and*
28
- 29 • Condition 26, be revised to read: *The applicant shall make attempts to limit*
30 *alcohol related problems, which negatively impact those living or working in the*
31 *neighborhood.*
32

33 Commissioner Bender reiterated in his opinion that Conditions 3 and 17 were redundant.
34

35 Mr. Hanham recommended the elimination of Condition 17.
36

37 Commissioner Bender otherwise agreed moving forward with requests for a Type 20 or Type
38 41 License that more information from the Police Department regarding any past issues with
39 the sale of alcohol should be provided.
40

41 Mr. Hanham explained when a prior request for alcohol sales was considered, there had
42 been discussion about where crimes were being committed. He would speak with the Police
43 Chief to see whether something could be prepared that measured crime since there would
44 continue to be businesses that wanted to sell alcohol.
45

46 Mr. Hanham described a possible scenario if the subject business had seven robberies in
47 the next few weeks due to the sale of alcohol, but if one crime occurred in the entire corridor
48 whether that would be considered an uptick in crime. He stated that would have to be defined
49 by the Police Department and more discussion was needed.

1
2 Mr. Hanham added that he would work with the Police Chief to see whether that process
3 could be discussed with a presentation to the Planning Commission.
4

5 Commissioner Bender suggested such a presentation/discussion would be helpful. He also
6 commented with respect to Type 20 Licenses that in 2023, the ABC reviewed both Contra
7 Costa and Alameda counties and cities with Type 20 Licenses using a simple formula based
8 on population size. In that case, the cities of Pleasant Hill, San Pablo and Albany were
9 identified as having similar populations, and the cities of San Pablo and Albany, adjacent to
10 each other, had been placed under a moratorium for Type 20 Licenses. Per the ABC data,
11 there were currently five businesses in Pinole with Type 20 Licenses, and if the subject
12 application was approved it would be a total of six Type 20 Licenses in Pinole. He understood
13 the next review by ABC would occur in 2028.
14

15 Commissioner Uch wanted more transparency on crime data from the Pinole Police
16 Department since it was currently vague, with the Police Department stating that crime was
17 low. Having clear data points publicly available was important. He recognized compiling
18 crime statistics could be time consuming for specific cities but it would be nice to have the
19 Pinole Police Department provide more transparency with more data accessible to the public.
20 He appreciated the call for more transparency on that topic.
21

22 Chairperson Sandoval suggested Condition 6 was similar to Condition 25, and
23 recommended the two conditions be combined. Condition 13 was similar and duplicative
24 with Condition 23 and he agreed with the elimination of Condition 17 as being duplicative to
25 Condition 3.
26

27 Further discussing the conditions, Vice-Chairperson Menis agreed with the overall overlap
28 between Conditions 13 and 23, but he understood one of the conditions had been written by
29 the Police Department and the other by the Community Development Department, and each
30 had different priorities. He was not as sure Conditions 6 and 25 were duplicative and he read
31 both into the record. When asked by the Chair, he suggested Condition 6 could be removed
32 or be better clarified.
33

34 Vice-Chairperson Menis added that if the population was the denominator used by ABC in
35 its review of Type 20 License limits, increasing the total overall population in the City of Pinole
36 with higher density housing in the future may permit increased commercial development in
37 the City by increasing the size of that denominator, and thereby allowing more alcohol sales
38 licenses to be awarded over time.
39

40 Commissioner Lam-Julian referenced Conditions 6 and 25 and suggested Condition 6 could
41 be revised by removing the following: *within 90 days of employment*. She asked for
42 clarification of the statement as part of Condition 6, which reads: *Applicant shall include*
43 *these training details as part of the "complaint response/community relations."* She asked
44 whether that could be better clarified through a presentation from the Police Department.
45

46 Mr. Hanham understood that "complaint response/community relations" was part of alcohol
47 training but he would check on that to provide clarification.
48

49 Commissioner Lam-Julian also referenced Table 1: On-Site Retail Alcohol Sales
50 Establishments in Census Tract 3630,* as shown on Page 26 of 55 of the agenda packet,

1 and asked that the reference to Grocery Outlet be revised to read *Lucky*.

2 **MOTION** with a Roll Call vote to adopt Resolution 25-09, with Exhibit A: Conditions of
3 Approval, Resolution of the Planning Commission of the City of Pinole, County of Contra
4 Costa, State of California, Approving a Conditional Use Permit to Allow the Sale of Beer and
5 Wine for Off-Site Consumption at 1477 Fitzgerald Drive, Suite 107, Pinole, CA 94564, APN:
6 426-010-027, subject to modifications as follows:

- 7
- 8 • Condition 17 to be eliminated.
- 9
- 10 • Condition 5 to be revised to read: A copy of the conditions of approval shall be kept on
11 premises and available upon request.
- 12
- 13 • Condition 6 to be eliminated.
- 14
- 15 • Condition 25 to include some language from Condition 6, and be revised to read:
16 Within 90 days of employment, all employees shall receive “responsible beverage
17 service training,” and any employee on duty between 10:00 p.m. and 2:00 a.m. will
18 be at least twenty-one (21) years of age, and documentation of this training shall be
19 retained on the premises and made available upon request.
- 20
- 21 • Condition 18 to be revised to reflect that all trash be removed from receptacles under
22 control of the applicant.
- 23
- 24 • Condition 19 to be revised to read: The applicant shall be responsible for maintaining
25 the area free of litter, that area which is in front of and adjacent to the premises over
26 which they have control, and
- 27
- 28 • Condition 26 to be revised to read: The applicant shall make attempts to limit alcohol
29 related problems, which negatively impact those living or working in the
30 neighborhood.

31
32 **MOTION: Menis**

SECONDED: Sandoval

APPROVED: 6-0-1
ABSENT: Martinez

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35 Chairperson Sandoval identified the 10-day appeal process of a decision of the Planning
36 Commission in writing to the City Clerk subject to applicable appeal fee.

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38 **2. Conditional Use Permit UP25-0006: Yo Sushi Alcohol Sales**

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40 Planning Manager Hanham presented the staff report dated October 27, 2025. He
41 recommended the Planning Commission adopt a resolution to approve a Conditional Use
42 Permit for Yo Sushi for a Type 41 License (On-Site Consumption) located at 2432 San
43 Pablo Avenue.

44
45 Responding to questions from the Planning Commission, Mr. Hanham clarified:

- 46
- 47 • Condition 9 of Exhibit A, Yo Sushi Restaurant Alcohol Sales Conditional Use
48 Permit, was clarified as written, with a typographical error in the same condition
49 identified. (Vice-Chairperson Menis)

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- Condition 27 was also clarified as written that this condition had also been imposed on the approval of Diosa Restaurant, was being imposed for restaurants, but could be modified or eliminated. (Vice-Chairperson Menis)
 - Condition 10 was clarified, and read: *If the operation of the use results in conflicts pertaining to parking, noise, nuisance, traffic or other impacts, at the discretion of staff, the use permit may be referred to the Planning Commission for subsequent review at a public hearing. Subsequent review may result in modification of conditions of approval or revocation of the use permit*, and would be complaint driven. Depending on the issue, the use permit may be brought back to the Planning Commission for possible revocation of the use permit to sell alcohol if the issues were not first resolved by Code Enforcement or the Police Department. (Huey)

16 PUBLIC HEARING OPENED

17
18 There were no comments from the public.

19
20 PUBLIC HEARING CLOSED

21
22 Commissioner Lam-Julian again asked staff to work with the Police Department for
23 transparency purposes. She asked for a matrix on how the Police Department reported
24 average crimes in the City's districts.

25
26 Commissioner Huey referenced Condition 9 and suggested the condition was confusing and
27 should be rewritten. She added that some of the numbers for the conditions had a period at
28 the end while others did not and recommended consistency in the format.

29
30 Vice-Chairperson Menis agreed that there be consistency with the formatting of Exhibit A.
31 He offered the following comments on Exhibit A:

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- Conditions 1, 11 and 16 appeared to overlap and conflict with one another.
 - Condition 15 should be revised to read: *Licensee or its employees shall regularly police the area under the licensee's control to prevent the loitering of persons about the premises.*
 - For Condition 17, a report from the Police Department to the Planning Commission and the public was recommended to more broadly report the results of *the "complaint response/community relations"* program.
 - Conditions 20 and 21 should both add the phase "The applicant shall" at the beginning of each condition.

46
47 Commissioner Bender referenced Condition 27, which read: *The Planning Commission shall review this Conditional Use Permit once a year for the next five (5) years.* He understood the condition had been imposed on the application for Diosa Restaurant but it applied only to that specific application.
48
49

1 Commissioner Bender found the review of the use permit once a year for the next five
2 years to be extreme for a restaurant and was troubled retaining Condition 27 for this
3 application for Yo Sushi.
4

5 Chairperson Sandoval shared the concerns related to Conditions 1, 11 and 16 and
6 suggested the conditions could be cleaned up, and possibly Conditions 1 and 16 could be
7 merged.
8

9 Mr. Hanham clarified that while some of the conditions sounded similar, they were not.
10 The project would be required to come to the Planning Commission every year for the next
11 five years, which was why the language in Conditions 1 and 16 had been worded as they
12 had. If the Planning Commission were to eliminate Condition 27, those two conditions
13 would be eliminated too since they were relevant to Condition 27, although a revocation
14 hearing on the use permit was always possible in the event of any issues.
15

16 Chairperson Sandoval suggested Condition 27 was excessive. He liked the idea of a
17 mechanism being available if complaints arose when the use permit could be revisited.
18

19 Mr. Hanham explained that a revocation hearing was included in the Pinole Municipal
20 Code (PMC) as a possibility, if warranted.
21

22 Commissioner Bender asked staff about the number of restaurants in Pinole which had a
23 Type 41 License that was reviewed each year.
24

25 Mr. Hanham acknowledged that not all of the uses included a condition of approval that
26 required review of the use permit each year. The PMC did allow yearly reviews and that
27 could be something the Planning Commission may do. As examples, Tina's Place and
28 Antlers Tavern likely did not have that condition since the yearly review occurred after
29 2010.
30

31 Commissioner Bender again found Condition 27 to be excessive. If there were issues
32 with the sale of alcohol and given the proximity of neighbors they would hear about it. He
33 reiterated the condition had been imposed on a prior application given there were
34 concerns as to how to have a restaurant use in the building that Diosa Restaurant
35 occupied.
36

37 Vice-Chairperson Menis commented that Condition 10, as written stated: *If the operation*
38 *of the use results in conflicts pertaining to parking, noise, nuisance, traffic, or other*
39 *impacts, at the discretion of staff, the use permit may be referred to the Planning*
40 *Commission for subsequent review at a public hearing. Subsequent review may result in*
41 *modification of conditions of approval or revocation of the use permit.* He preferred that
42 Condition 11 be retained over Conditions 1 and 16, since Condition 11 stated: *If use*
43 *permit conditions are not adhered to, the use permit is subject to subsequent review by*
44 *the Planning Commission. Action by the reviewing body may include but are not limited*
45 *to, imposing corrective action for the project to adhere to conditions, modifications to*
46 *conditions, or revocation of the permit after giving 10-day notice following a public hearing,*
47 as opposed to the language in Conditions 1 and 16.
48

49 Chairperson Sandoval generally preferred broader language to allow more flexibility for
50 enforcement.

1 Commissioner Lam-Julian understood the Planning Commission was seeking to keep
2 Condition 11 and removing Condition 16.

3
4 Vice-Chairperson Menis recommended the Planning Commission strike Conditions 1 and
5 16 and retain Condition 11. He also asked if the language in Condition 9 could be modified
6 to be clearer.

7
8 Mr. Hanham confirmed the condition could be modified and staff could massage the
9 condition further to make it easier to understand.

10
11 Vice-Chairperson Menis also supported striking Condition 27.

12
13 **MOTION** with a Roll Call vote to adopt Resolution 25-10, with Exhibit A: Conditions of
14 Approval, a Resolution of the Planning Commission of the City of Pinole, County of Contra
15 Costa, State of California, Approving a Conditional Use Permit to Allow the Sale of Beer and
16 Wine for On-Site Consumption at 2432 San Pablo Avenue, Pinole, CA 95464, APN: 401-
17 150-032, subject to modification as follows:

- 18
19 • Conditions 1 and 16 to be eliminated.
- 20
21 • Condition 9 to be reworded for clarity.
- 22
23 • Condition 27 to be eliminated.
- 24
25 • Condition 15 to be revised to read: Licensee or its employees shall regularly police
26 the area under the licensee's control to prevent the loitering of persons about the
27 premises, and
- 28
29 • Conditions 20 and 21 to both add the phase "The applicant shall" at the beginning
30 of each condition.

31
32 **MOTION: Sandoval**

SECONDED: Menis

APPROVED: 6-0-1
ABSENT: Martinez

33
34
35 Chairperson Sandoval identified the 10-day appeal process of a decision of the Planning
36 Commission in writing to the City Clerk subject to applicable appeal fee.

37
38 **H. OLD BUSINESS:** None

39
40 **I. NEW BUSINESS:**

41
42 1. ADU Outreach and Implementation Intern – Project Presentation

43
44 Mr. Hanham introduced Estrella Silva, Accessory Dwelling Unit (ADU) Outreach and
45 Implementation Intern, who provided a PowerPoint presentation on the ADU Outreach &
46 Implementation Program, which included an overview of the background and goals for the
47 program; six phases of her internship; outreach strategy; details on pop-ups and
48 promotional material; lessons learned as part of the internship and next steps.

1 The next steps included the continuation of the outreach campaign, ADA Webinar
2 conducted on October 23, 2025, ADA Outreach Campaign analysis to be conducted
3 shortly thereafter and analysis reports, flyers, and other ADU documents to be compiled
4 and organized to be handed off as advised.
5

6 Ms. Silva expressed her appreciation to the Planning Division, Community Development
7 Department staff and the Planning Commission for their continued leadership in shaping
8 Pinole's housing future, which work provided a policy foundation allowing programs like
9 the subject program to succeed. She also thanked her supervisors and mentors for their
10 guidance and support during her internship, which supported her work towards a career
11 closely linked to community development. She was deeply grateful for the opportunity to
12 contribute however small to advancing the City's housing goals.
13

14 Responding to questions from the Planning Commission, Ms. Silva and Senior Planner
15 Justin Shiu clarified:
16

- 17 • The Community Development Department documents the number of ADUs
18 constructed and approved each year and reports out on new building permits
19 issued for ADUs to the Department of Housing and Community Development
20 (HCD). That information is available to the public. (Uch)
21
- 22 • Work was already progressing to place the information from flyers and other
23 materials, as shown in the PowerPoint presentation, into resources as part of the
24 ADU Outreach and Implementation project. (Vice-Chairperson Menis)
25
- 26 • The PowerPoint presentation could be uploaded and posted on the City website.
27 (Vice-Chairperson Menis)
28
- 29 • The feedback from community engagement was highlighted with people interested
30 in hearing about the engagement process directed to the full ADU webpage.
31 (Chairperson Sandoval)
32
- 33 • Recognized state legislation about ADUs and the City's regulations and policies
34 on ADUs that a Pinole resident must follow. (Chairperson Sandoval)
35

36 Planning Commissioners thanked Ms. Silva for the presentation and her internship work on
37 behalf of the City.
38

39 PUBLIC COMMENTS OPENED
40

41 There were no comments from the public.
42

43 PUBLIC COMMENTS CLOSED
44

45 **J. CITY PLANNER'S/COMMISSIONER'S REPORT**
46

47 Mr. Hanham reported that staff continued to work on the Parklet Program.
48
49

1 Mr. Hanham added that staff continued to work on the updates to the Environmental Justice
2 and Safety Elements that would hopefully be approved in January 2026, and more interns
3 would be working with the City on different projects. The Internship Program had been a
4 success for the Planning Division.
5

6 Vice-Chairperson Menis commented that when he reviewed the City's agendas, a workshop
7 had been planned on October 28, 2025 for Parklets and Outdoor Dining. He asked whether
8 the Planning Commission should be present for the workshop.
9

10 Mr. Hanham clarified the Planning Commission was welcome to attend the workshop that
11 was intended for residents and businesses within the downtown area; however,
12 Commissioners were asked not to sit next to each other and discuss the project and assigned
13 seating could be provided if Commissioners were in attendance.
14

15 Vice-Chairperson Menis asked about the status of any feedback from the tribes on the
16 Environmental Justice and Safety Elements.
17

18 Mr. Hanham advised that certified mailed letters had been sent along with emails and he
19 planned to contact each of the tribes this week by phone to inquire whether there were any
20 comments or questions on the Environmental Justice and Safety Elements.
21

22 Commissioner Lam-Julian reported she had reached out to the Planning Manager regarding
23 an incident at Appian Village when she had been driving on Appian Way to pick up her son
24 from school. At that time, both lanes of the road were closed, cones were placed on the
25 street and she had been accosted by a construction worker who got out of his car and yelled
26 obscenities in the street while people were trying to pick up their children. She understood
27 another incident had been reported in September. Given those ongoing incidents, she was
28 concerned there was a pattern with the construction team. She found their behavior to be
29 inappropriate and dangerous.
30

31 Mr. Hanham stated after the concern was reported, one of the City's Public Work Inspectors
32 had cleared the cones out and informed the contractor the cones were not allowed and must
33 be removed. The construction team was also informed of the construction hours the
34 construction team was allowed to work within. He also spoke with the Construction Manager
35 and a representative for DeNova Homes about the incident and the City would ensure the
36 project adhered to the conditions of project approval. The representative from DeNova
37 Hones informed him he would speak with the Superintendent of the project and he (Mr.
38 Hanham) planned to follow up with that individual.
39

40 Commissioner Lam-Julian emphasized the situation was not appropriate, particularly the
41 language used by the construction worker near the school and the fact that person tried to
42 block people from being able to pick up their children, causing a dangerous and inappropriate
43 situation.
44

45 Mr. Hanhan added he had spoken with Public Works Department staff this morning and they
46 were making routine stops at the construction site during the day and during the school
47 period. Most of the road striping work would be complete shortly, with the next step making
48 the traffic signal operational, which work was a few months out. That work would be required
49 to be complete prior to the issuance of a Certificate of Occupancy (COO), which would not
50 occur until probably February/March 2026.

1 PUBLIC COMMENTS OPENED

2

3 There were no comments from the public.

4

5 PUBLIC COMMENTS CLOSED

6

7 **K. COMMUNICATIONS**

8

9 Vice-Chairperson Menis reported that upcoming community events included the
10 aforementioned Parklet and Outdoor Dining Workshop on October 28, 2025 in the Council
11 Chambers with Zoom available on the City website, and food distribution at the Senior Center
12 on October 28, 2025 from 10:00 to 11:00 a.m. for those over 55 years of age. Recipients
13 were required to be Pinole residents.

14

15 **L. NEXT MEETING**

16

17 1. Planning Commission Regular Meeting on November 10, 2025 at 7:00 p.m.

18

19 **M. ADJOURNMENT: 8:52 p.m.**

20

21 Transcribed by:

22

23 Sherri D. Lewis

24 Transcriber

Reviewed and Edited by:

City Staff



PLANNING COMMISSION REPORT

J.1.

DATE: DECEMBER 8, 2025
TO: PLANNING COMMISSION
FROM: DAVID HANHAM, PLANNING MANAGER
SUBJECT: PLANNING COMMISSION REGULAR MEETING SCHEDULE 2026

RECOMMENDATION

Adopt the regular Planning Commission meeting schedule.

REVIEW AND ANALYSIS

Review and adopt the regular Planning Commission meeting schedule for 2026, following discussion and any proposed modifications.

ATTACHMENTS

A. Item J.1. 2026 Planning Commission Regular Meeting Schedule

2026 Planning Commission Regular Meeting Schedule

MONTH	DATE	TIME
January	Monday, 1/12/26	7:00 PM
January	Monday, 1/26/26	7:00 PM
February	Monday, 2/9/26	7:00 PM
February	Monday, 2/23/26	7:00 PM
March	Monday, 3/9/26	7:00 PM
March	Monday, 3/23/26	7:00 PM
April	Monday, 4/13/26	7:00 PM
April	Monday, 4/27/26	7:00 PM
May	Monday, 5/11/26	7:00 PM
June	Monday, 6/8/26	7:00 PM
June	Monday, 6/22/26	7:00 PM
July	Monday 7/13/26	7:00 pm
July	Monday, 7/27/26	7:00 PM
August	Monday 8/10/26	7:00 PM
August	Monday, 8/24/26	7:00 PM
September	Monday 9/14/26	7:00 PM
September	Monday 9/28/26	7:00 PM
October	Monday, 10/26/26	7:00 PM
November	Monday 11/9/26	7:00 PM
November	Monday 11/23/26	7:00 PM
December	Monday, 12/14/26	7:00 PM
	TOTAL MEETINGS: 21	