



PINOLE PLANNING COMMISSION MEETING AGENDA

**February 23, 2026
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](https://us02web.zoom.us/j/86505375301). 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. ROLL CALL

E. 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.

F. MEETING MINUTES:

1. Planning Commission Meeting Minutes for February 9, 2026

G. 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

H. OLD BUSINESS

I. NEW BUSINESS

J. CITY PLANNER'S/COMMISSIONER'S REPORT

K. COMMUNICATIONS

L. NEXT MEETING(S)

1. Planning Commission Regular Meeting on March 9, 2026 at 7:00PM

M. 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

February 9, 2026

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, Martinez, Uch, Vice-Chairperson Menis and Chairperson Sandoval

Commissioners Excused: Lam-Julian

Staff Present: David Hanham, Planning Manager
Heba El-Guindy, Public Works Director
Justin Shiu, Associate Planner

Vice-Chairperson Menis reported on his ex-parte communications to his email list about the topics on the meeting agenda.

E. **CITIZENS TO BE HEARD**

There were no comments from the public.

F. **MEETING MINUTES**

1. Planning Commission Meeting Minutes for January 26, 2026

MOTION with a Roll Call vote to approve the Planning Commission Meeting Minutes for January 26, 2026, as shown.

1 **MOTION: Sandoval**

2 **SECONDED: Menis**

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

4 **ABSTAIN: Martinez**

5 **ABSENT: Lam-Julian**

6 **G. PUBLIC HEARINGS:**

7 **1. SM26-0001 Subdivision of Parcel Located at 2860 Pinole Valley Road (APN:**
8 **430-330-027) for Land Dedication Trail to the City of Pinole**

9
10 Planning Manager David Hanham introduced the item.

11
12 Public Works Director Heba El-Guindy provided a PowerPoint presentation for SM26-0001
13 Subdivision of a Parcel located at 2860 Pinole Valley Road for a land dedication trail to
14 the City of Pinole, and recommended the Planning Commission adopt Resolution 26-02,
15 approving the subdivision of one lot into two lots located at 2860 Pinole Valley Road,
16 consistent with the Tentative Map contained in Attachment B.

17
18 Responding to questions from the Planning Commission, Public Works Director El-Guindy
19 clarified the following:

- 20
- 21 • The creek itself was under the jurisdiction of the Contra Costa Flood Control
22 District (CCFCD). Parcel B did not include the creek. (Bender)
 - 23
24 • The PowerPoint presentation included concepts that had been prepared by
25 Friends of Pinole Creek Watershed. Once the subdivision was approved, the
26 design process would start and the types of furniture to be installed and what would
27 qualify under grant funding would then be identified. There were no current plans
28 available for review other than survey work and the title report. (Uch)
 - 29
30 • The path was currently a dirt multi-use path that while not heavily used due to its
31 condition was used by pedestrians/cyclists and students. Presently, there were
32 lights aiming towards Pinole Valley High School (PVHS) that reflected onto the
33 trail, and along the fence area where the boundary was shown in the PowerPoint
34 presentation, a fence that belonged to PVHS which had multiple overhead lights.
35 The trail lighting that was planned to be added would be solar powered and would
36 not have energy extension/electricity, but be lit during the evening and night hours.
37 Staff expected safety with numbers and with the increased use of the trail were
38 expecting that activity to enhance safety. Staff had not looked into security but
39 would collaborate with the CCFCD, the City's Information Technology (IT)
40 Department and Friends of Pinole Creek Watershed, to possibly consider the
41 addition of security cameras. The IT Department was researching the use of
42 security cameras and alarms for various facilities within the City, and this site could
43 potentially be added. (Martinez)
 - 44
45 • The Clean California Grant was close to being approved. The initial application
46 was for \$200,000, but staff had learned the initial ask may be increased to
47 \$300,000. (Huey)
- 48

- Staff hoped the City would secure the Clean California Grant that would cover furniture, debris removal and vegetation management for Parcel B, but would not include the creek itself and the embankment within Parcel B. The grant would cover the art pieces, wayfinding signage to the trail and creek and larger scale signs at both ends of the trail at Sarah Court and Pinole Valley Road. Lighting could be implemented soon, as a priority, and as a capital improvement as part of City-wide improvements under the Public Works Department, which would allocate funds for the installation of the lights given the priority of the safety element. Staff also continued to search for a number of grant programs for the pedestrian/bicycle bridge and widening and resurfacing or surfacing of the multi-use path with permeable pavement given the environmental impacts of having regular pavement that would specifically be for a trail use. (Huey)
- Staff had not formalized counts that were typically done as part of data collection regarding the users of the trail. That could be done pursuant to City Council direction to capture the peak periods during the week or weekends, to determine whether the users were commuters or recreational users, or those accessing the shopping center or school during the week. Friends of Pinole Creek Watershed may have some data and staff could check but the Public Works Department did not have formalized counts. (Huey)
- The PowerPoint presentation could be modified with more details on future steps and potential sources of funding prior to uploading to the City website. (Vice-Chairperson Menis)
- If approved, the land would be donated to the City of Pinole and under the City's jurisdiction. (Vice-Chairperson Menis)
- The item before the Planning Commission was only the Parcel Map. (Vice-Chairperson Menis)
- The City currently maintained the area of Parcel B to secure the safety of the users since the vegetation left unmaintained could potentially harm users of the dirt path. The City was maintaining the location and it would not significantly increase the need for staff time or costs when the land was donated to the City. The future improvements, particularly for the bridge, were intended to reduce the potential for the ultimate need to replace the bridge. Staff hoped the maintenance could be more organized given the improvements and overall conditions of the area. (Vice-Chairperson Menis)

PUBLIC HEARING OPENED

Jonathan Jarvis, Friends of Pinole Creek Watershed and the lead for the Pinole Creekside Project, appreciated the support from the City for this project. The trail was predominantly used by PVHS students and the community that lived on Sarah Court. The trail was active and while there were no hard numbers for total usage, it was clear that during the day the trail was heavily used.

1 Mr. Jarvis reported the trail had been identified by the Friends of Pinole Creek Watershed's
2 Monthly Trash Clean-Ups as a trash hot spot, and it was felt if the trail could be improved
3 with the installation of trash receptacles, which the City had done, and the removal of non-
4 native vegetation and with improvement to the trail tread, there could be more respect for
5 the area. Friends of Pinole Creek Watershed reached out and obtained a pro bono design
6 by a landscape architectural firm. These design concepts were available on the Friends
7 of Pinole Creek Watershed website.

8
9 Mr. Jarvis added there was a need for lighting and students had expressed concern with
10 the trail when dark. The addition of lighting, art work, amenities and furniture, were all
11 suggestions from the public and the students who wanted to be able to see and feel a
12 connection to Pinole Creek. Friends of Pinole Creek Watershed also appreciated the
13 opportunity to participate in any grant opportunities that would improve the trail and
14 removing the non-native species along the edge of the trail and replanting with native
15 species, which would be part of the grant and which would significantly reduce the
16 maintenance. Friends of Pinole Creek Watershed also reached out to the Ohlone
17 community who were interested in supporting the work and the planting of any native
18 plants that could be interesting for cultural and traditional uses. He suggested this was a
19 great project, and he appreciated the Planning Commission's consideration that would
20 facilitate the opportunity to improve the trail and its access for students and the public.

21 22 PUBLIC HEARING CLOSED

23
24 Vice-Chairperson Menis thanked Mr. Jarvis for answering some of the questions he had
25 with the proposal, particularly that there had been outreach to the Ohlone Tribes. He also
26 noted that the audio in the Council Chambers had briefly cut out during the speaker's
27 comments, and some of the comments may not have been audible.

28
29 Commissioner Bender referenced Attachment A, Planning Commission Resolution 26-02,
30 Conditions of Approval, Condition 6, Tentative Subdivision Map (b), and noted the
31 reference to Appian Professional Plaza, should be stricken.

32
33 Commissioner Bender also referenced Page 31 of 37 of the agenda packet, the first page
34 of Attachment A, Planning Commission Resolution 26-02, and the seventh WHEREAS
35 clause, which read: **WHEREAS**, *the project meets the criteria for a Categorical Exemption*
36 *as Minor Land Divisions pursuant to Section 15315 of the California Environmental Quality*
37 *Act (CEQA) Guidelines because it involves a minor land division of less than four parcels*
38 *within an urbanized area consistent with the General Plan and zoning and the property*
39 *does not have an average slope greater than 20 percent; and ...* He asked where the
40 reference to 20 percent had originated since the staff report noted no more than 30 percent
41 of the subject lot had slopes of 10 percent or greater.

42
43 Planning Manager David Hanham explained that the staff report was stating what the
44 actual slope was within the area. The reference to 20 percent was what the Subdivision
45 Code required.

46
47 Associate Planner Justin Shiu added the CEQA Exemption also referenced the 20 percent
48 slope.

Public Works Director El-Guindy explained the slopes that were less than 20 percent were actually less than 10 percent for the majority of the land. She also noted there would be accessibility improvements on both ends of the multi-use path at Pinole Valley Road and Sarah Court. Currently the access points were not Americans with Disabilities Act (ADA) compliant and would be improved as part of the surfacing of the multi-use path and access locations.

The Public Works Director also clarified that while the public hearing was for the subdivision of the parcel, if the Planning Commission desired staff could come back with a presentation in future months as the project progressed.

Chairperson Sandoval thanked staff for the presentation and appreciated the offer for staff to provide an update as the project progressed.

Vice-Chairperson Menis asked for consideration of a future update, as suggested, as a future agenda item.

Mr. Hanham confirmed that could be done but noted the Planning Commission would have no say or approval authority since this project did not involve design review. For informational purposes, an agenda item could be brought back.

MOTION with a Roll Call vote for the Public Works Director to provide an update on the project as it progressed, as a future agenda item.

MOTION: Menis

SECONDED: Menis

APPROVED: 6-0-

ABSENT: Lam-Julian

MOTION with a Roll Call vote to adopt Resolution 26-02, with Exhibit A: Conditions of Approval, A Resolution of the Planning Commission of the City of Pinole, County of Contra Costa, State of California, Approving a Tentative Parcel Map (26-0001) to Establish a Two Lot Subdivision at 2860 Pinole Valley Road, APN: 430-330-027, subject to the correction of the typographical error in Condition 6 (b) of the Conditions of Approval.

MOTION: Sandoval

SECONDED: Bender

APPROVED: 6-0-1

ABSENT: Lam-Julian

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

H. OLD BUSINESS: None

I. NEW BUSINESS: None

J. CITY PLANNER'S/COMMISSIONER'S REPORT

Mr. Hanham provided the following updates:

- Future agenda items included the Objective Development Design Standards (ODDS) and Parklet Program.

- Staff was working with on-call consultants on the preliminary stages of obtaining costs for updates to the General Plan, Specific Plan, Environmental Impact Report (EIR) and Downtown Master Plan.
- Staff continued to work with the current developers of Appian Village. Five buildings were currently under permit, the foundations were done for all five, and it was hoped occupancies would occur in the next 8 to 12 weeks, weather permitting.

Vice-Chairperson Menis asked about the status of the former Kmart property, to which Mr. Hanham reported staff was working with the developer to have the demolition permit approved, but had no further information on any permits for the actual building.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

K. COMMUNICATIONS

Vice-Chairperson Menis reported upcoming community events included the Senior Food Distribution at the Senior Center from 10:00 to 11:00 a.m. on February 10, 2026, with application eligibility required, and Coffee with a Cop on February 11, 2026 at Alamode Donuts from 8:00 to 10:00 a.m.

PUBLIC COMMENTS OPENED

There were no comments from the public.

PUBLIC COMMENTS CLOSED

L. NEXT MEETING

1. Planning Commission Regular Meeting on February 23, 2026 at 7:00 p.m.

M. ADJOURNMENT: 7:50 p.m.

Transcribed by:

Sherri D. Lewis
Transcriber



PLANNING COMMISSION REPORT

G.1.

DATE: FEBRUARY 23, 2026
TO: PLANNING COMMISSION
FROM: DAVID HANHAM, PLANNING MANAGER
SUBJECT: UPTOWN YARD (CUP19-09 & DR19-14) USE PERMIT REVIEW AND MODIFICATION

RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution approving the yearly review for Uptown Yard and finding that the use complies with the Conditions of Approval.

BACKGROUND

In 2019, Raquel Contreas applied for a Comprehensive Design Review and a Conditional Use Permit for the establishment of Casa Amada (aka Uptown Yard) located at 2337 San Pablo Avenue. The purpose of Uptown Yard is to create an outdoor seating area, general vendors, and food vendors on approximately 4,140 square foot lot. The project site is located within the Three Corridor Specific Plan, within the San Pablo Avenue Corridor. The property is located within the Old-Town Sub Area and is zoned Commercial Mixed Use, CMU. The use is permitted in the current district.

The existing surrounding land uses are as follows:

- North—Existing commercial development.
- South -- Parking Lot and existing commercial development
- East — Existing commercial development
- West – Vacant lot (Community Corner)

The Planning Commission at its regular meeting on October 27, 2020, adopted Resolution 20-01 approving findings and conditions for a Comprehensive Design Review and a Conditional Use Permit for the creation of Uptown Yard. Staff has attached the original Staff Report (Attachment 2), Resolution 20-01 with 43 Conditions of Approval (Attachment 3) for the original project. The original site plan shows the layout of the property for general vendors and food vendors (Attachment 4) that is used for Uptown Yard.

Pursuant to Condition 43 of the approved Conditions of Approval, it states, “These conditions of approval shall be brought back for review before the Planning Commission in one year to review the adequacy of the Conditional Use Permit and possible modification.” Based on the original approval date, the first review would have been October 26, 2021. However, due to the COVID pandemic and delays in getting the Uptown Yard ready for customers, staff felt that a review of the project would not be productive since there would be few events. Since October 2021, more events have been had so a review is necessary. The staff was prepared to review the project in October 2025. However, the owner wanted to make some changes to the project

schedules and events.

REVIEW AND ANALYSIS

As a part of the approval of the project, the Planning Commission adopted findings for the Design Review and the Conditional Use Permit. The Design Review component of the project required that the Planning Commission approve four findings. The Conditional Use Permit component also required the Planning Commission to approve four findings. For this action, the Planning Commission will review the operation of the use for compliance with the approved Conditional Use Permit findings and Conditions of Approval. The review will also include Site Inspections, Complaint Records, Code Enforcement history, and agency coordination.

FINDINGS AND CONDITIONS:

The following is a review of the Conditional Use Permit findings and Conditions of Approval. Staff has listed the Conditions of Approval that comply, conditions that have minor issues, and conditions that are not in compliance. The full text of the Conditions of Approval is listed in Attachment 2 of this report.

Conditional Use Permit Findings:

1. *The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title.*

Staff Review. The subject property is consistent with the General Plan and the Three Corridor Specific Plan. Uptown Yard provides space for retail/food vendor use. Both of the uses are permitted. The selling of alcohol requires a Conditional Use Permit. However, Uptown Yard does have a liquor license. In most cases, if alcohol is to be sold, it is by the vendors of the event. The vendors must get temporary liquor licenses. If Uptown Yard wants to sell alcohol, it will need to go through the alcohol permitting process outlined in Chapter 17.59 of the Pinole Municipal Code.

Staff determined that this finding is currently being met.

2. *The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city.*

Staff Review. Uptown Yard has not been detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city. Staff have conducted site inspections of events and have found they are operating within compliance with the Conditions of Approval for this project.

Staff determined that this finding is currently being met

3. *The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed.*

Staff Review: The site is physically suitable for the requested addition of an ancillary amount of beer and wine sales for off-site consumption. The Uptown Yard occupies a footprint of 4,140 square feet, and the entire property encompasses events using benches and having vendor spaces. The continued operation of this event center, with strict adherence to the imposed conditions, proper management, and supervision, will continue to provide a positive environment that is beneficial, convenient, and necessary for the community. As a result, the proposed use will not require physical alteration of the applicant's property, and no additional construction is proposed at this time.

Staff determined that this finding is currently being met.

4. *It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and related structures are compatible with other land uses, transportation, and service facilities in the vicinity.*

Staff Review. The Uptown Yard is located in the Commercial Mixed Use, CMU zoning district. Per the Three Corridor Specific Plan, sites in the CMU zoning district are intended to integrate retail and service commercial uses. This use of Uptown Yard is predominantly retail, with small entertainment venues, and food vendors meeting the needs of both residents and capturing business from travelers on the nearby 80 freeway. The applicant's business is aimed at both functions.

Staff determined that this finding is currently being met.

Conditions of Approval

As stated above, this section will review the 43 Conditions of Approval as approved in Resolution 20-01 Exhibit A for compliance, minor issues in compliance, and non-compliance. The full text of the existing Conditions of Approval is in Attachment 2 of this report. If there is a minor issue or non-compliance, the staff will suggest modifications to the Conditions of Approval that will allow the condition to become compliant.

Compliant Conditions: 1-4. 7, 9-14; 17-19; 21-22; 24; 26-43

Conditions with Minor Issues: 5-6; 8, 15-16; 20; 23; 25

Non-Compliant Conditions: There are no Conditions of Approval that are in a non-compliant status.

Table 1 – Conditions of Approval needing modifications

Conditions	Minor Issue	Modification of Condition
1. SCHEDULE – Regular operation of the use of the site shall be within the times provided in the project description and listed below. <u>REGULAR HOURS</u> <u>Food vendors</u> Thursday-Sunday: 9:00 am – 9:00 pm* *Hours may change during daylight savings time but shall not deviate by more than one hour from the above-mentioned times. <u>THEMES AND TIMES</u> January to February Regular hours, as shown above. March to September (Spring Harvest, Taco Fest, BBQ Fest: food vendors and plant/herb vendors) Regular hours, as shown above. May to December (Art Walk: artist display and sales) <u>Art Walk</u> First Friday of the Month: 9:00 am – 9:00 pm <u>Food vendors</u> Regular hours, as shown above.	The issue with this condition is that when the schedule was put together, the number and types of events were not known. Now that Uptown Yard has been having events, the owner would like to amend this condition to match what the current type of events that the Uptown Yard is obtaining.	Staff is willing to modify this condition based on the number of events and make the condition more user-friendly.

September to October (Halloween: pumpkin patch and food vendors) <u>Pumpkin patch</u> Every day: 9:00 am – 9:00 pm <u>Food vendors</u> Every day: 9:00 am – 9:00 pm November (Day of the Dead: artist display and food vendors) November 1 and 2: 9:00 am – 9:00 pm November to December 24th (Christmas Tree Sales and Decoration/ Holiday Market: artist display and sales and food vendors) <u>Tree Sales and Holiday Market</u> Every day: 9:00 am – 9:00 pm <u>Food vendors</u> Every day: 9:00 am – 9:00 pm Proposed modifications to the schedule shall be subject to review by the Planning Manager, who may determine if changes should return to Planning Commission for consideration. <u>SPECIAL EVENTS OR USES</u> One-time or limited-time special events or use of the site, including but not limited to community events, fundraisers, or private events, that are not noted with specific times, dates, or		
--	--	--

descriptions in the above schedule are subject to notification to the Planning Division, and the Planning Manager may determine whether further approval is required, which may include a temporary use permit, use permit modification, or new use permit. The owner should notify the Planning Division at least two weeks before the special event or use.		
6. NUMBER OF VENDORS – No more than four food vendors shall be hosted on site at the same time.	The issue with this condition is that there could be times when more than 4 food vendors can fit on the site.	Staff determined that this condition needs to be modified.
8. USE AND DESIGN MODIFICATIONS – The owner shall submit any proposed modifications to the site design or use, including days and times of events, to the Planning Manager for consideration. The Planning Manager shall determine whether the project should be brought to Planning Commission for further consideration.	The owner would like to modify the design of the project. Those designs are in Attachment 6 of this report.	Staff determines that this condition needs to be modified. However, we can continue to modify with the approval of the staff or the Planning Commission if needed.
15. LIVE MUSIC SCHEDULE – The site may have live music no more than 30 days per year, with no more than three days per month, and only within the following timeframes: Fridays – 5 pm to 8 pm Saturdays – 5 pm to 9 pm Sundays – 12 pm to 8 pm	The Property owner is looking to expand the hours for musical entertainment. The owner of the property would also like to expand the musical selections. See Attachment 7. We have some complaints that a couple of events made a couple of events not be able to enjoy their specific events	For both of these conditions, 15 & 16, Modifications need to be made regarding special events in other areas.
16. AMPLIFIED MUSIC – No	The Property owner is	

amplified music shall be played on site without prior approval from the Development Services Department.	looking to expand the hours for musical entertainment. The owner of the property would also like to expand the musical selections. See Attachment 7 of this report	
20. VENDOR, ARTIST, AND OTHER SET-UP – The owner, vendors, artists, or other parties setting up booths, furniture, and other items on site shall access the site from the adjacent parking lot.	The property owner is proposing a new setup.	This condition will not need to be modified.
23. PARKING AND TRANSPORTATION INFORMATION – The owner shall provide clearly visible information and maps inside the site regarding the location of Old Town parking lots and public transportation stops. The owner should also incorporate parking and transit information in marketing materials and project-related webpages where possible.	There has been some issues with food trucks taking up parking stalls during other events that are taking place.	Staff has determined that this condition needs to be modified regarding food vendors
25. BUSINESS LICENSES/ COUNTY HEALTH PERMITS – All vendors and parties conducting business on site shall hold a valid business license from the City of Pinole. All vendors and parties serving food shall obtain applicable permits from the Contra Costa Health Services Division.	There have been issues with the vendors not getting business licenses, and things that are supposed to be just Uptown Yard or individual vendor permits.	Staff has determined that a modification of this condition is necessary to make sure that all the businesses are legal at the time of events.

ENVIRONMENTAL REVIEW

This project is categorically exempt per Section 15301 Existing Facilities of the California Environmental Quality Act Guidelines in that it consists of no physical expansion of existing business within an existing commercial building.

ATTACHMENTS

- A. Resolution 26-03 CUP19-09 2337 San Pablo Ave
- B. DR19-14 CUP19-09 - COAs
- C. 20-01 Reso - Casa Amada - signed
- D. Final PC Minutes 10-26-20
- E. Final PC Minutes 2-24-20
- F. Site Plan 2.9.26
- G. Plan Set and Booth Layout 10.12.20
- H. Uptown Yard CUP Letter Review

**PLANNING COMMISSION RESOLUTION 26-03
WITH EXHIBIT A: CONDITIONS OF APPROVAL**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING THE ADEQUACY OF A CONDITIONAL USE PERMIT (CUP19-09), AND MAKING A SIMILAR USE DETERMINATION, TO MAKE SITE IMPROVEMENTS FOR AN OUTDOOR SEATING SPACE WITH FENCING, A SMALL STRUCTURE, AND A TRASH ENCLOSURE REDESIGN AND TO PROVIDE FOR HOSTING OF ARTISAN DISPLAYS, EVENTS, VENDORS AND FOOD VENDORS ON AN APPROXIMATELY 4,140 SQUARE FOOT VACANT LOT IN THE CMU ZONING DISTRICT AT 2337 SAN PABLO AVENUE, APN: 401-162-002

WHEREAS, the City of Pinole is reviewing Conditional Use Permit (CUP19-09) for adequacy and to be able to make site improvements to create an outdoor seating, artisan display/sales, and food vendor hosting space on an approximately 4,140 square foot vacant lot; and

WHEREAS, the Planning Commission of the City of Pinole is the appropriate authority to hear and act on this project; and

WHEREAS, said property is designated Old Town Sub-Area (OTSA) in the Pinole General Plan and Three Corridors Specific Plan and is intended to maintain and enhance the area's quaint residential, commercial, and mixed-use nature, architectural scale, character, style, and serve as a connection to Old Town Pinole; and

WHEREAS, the property is zoned Commercial Mixed Use (CMU), which allows for commercial uses; and

WHEREAS, the project proposes a use for an outdoor seating space to host artisan displays/sales and food vendors that corresponds to commercial uses but does not have a single direct corresponding use definition specifically listed in the Zoning Code or Specific Plan; and

WHEREAS, when a particular use is not specifically listed in this Zoning Code and it is unclear whether the use is permitted, the municipal code allows the approving authority to determine whether or not a proposed use is similar to a permitted or conditionally permitted use

WHEREAS, the findings can be made for a Similar Use Determination in that the project contains uses comparable to Parks and Public Plazas, Restaurants, Retail, and Artisan Shops, which are permitted uses in the same district, and the proposed use will be consistent with the General Plan, Specific Plan, and Zoning Code; and

WHEREAS, design review is required for the redesign and site improvements of a commercial site; and

WHEREAS, a conditional use permit is required to establish the use of the site for special events that exceed three periods per year and/or 30 calendar days per year and to allow outdoor dining; and

WHEREAS, the design of the site meets applicable development standards and Specific Plan design guidelines; and

WHEREAS, the project meets the criteria for a Categorical Exemption as an In-Fill Project, a new small structures, and minor alterations of land pursuant to Section 15303, Section 15304, and Section 15332 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Planning Commission of the City of Pinole has conducted a duly noticed public hearing to consider DR19-14 and CUP19-09 on February 24, 2020, and the meeting was continued to a date uncertain; and

WHEREAS, the Planning Commission of the City of Pinole has conducted a duly noticed public hearing to continue consideration of DR19-14 and CUP19-09 on October 26, 2020 and was adjourned to October 27, 2020; and

WHEREAS, the Planning Commission of the City of Pinole held a public hearing to continue consideration of DR19-14 and CUP19-09 on October 27, 2020; and

WHEREAS; the Planning Commission of the City of Pinole held a public hearing to approve a review of CUP19-09 in connection with Condition 43 of the approved Resolution 20-01, Exhibit A

WHEREAS, after the close of public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, and all other pertinent information regarding the proposed development.

NOW, THEREFORE, the Planning Commission hereby finds that:

1. The Planning Commission has considered the full record before it, which may include but is not limited to such information as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are true and correct and are incorporated herein by reference.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city in that the project, as conditioned, shall improve an underutilized site and establish ongoing requirements to maintain operations.
3. The site of the proposed use is physically suitable for the type, density and intensity of the use and related structures being proposed in that the site does not propose construction of a new building and the proposed use would primarily be commercial in nature.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and improvements are compatible with permitted uses in the zoning district and do not include the construction of commercial structures.
5. Similar Use Determination. The project proposes uses similar to other permitted and conditionally permitted uses in the zoning district and is consistent with the general plan, specific plan, and zoning code.

- a. The characteristics of and activities associated with the proposed use are equivalent to one (1) or more of the listed uses and will not involve a higher level of activity or population density than the uses listed in the zoning district. Parks and Public Plazas, Restaurants, Retail, and Artisan Shops are permitted uses in the CMU district and comparable to the proposed use.
 - b. The proposed use will be consistent with the purposes of the applicable zoning district. The project is consistent with the development standards of the zoning district as no new permanent structures are proposed for development.
 - c. The proposed use will be consistent with the general plan, any applicable specific plan, and the zoning code. The proposed uses are consistent with the general plan land use designation of OTSA and the specific plan and zoning code CMU district in that the proposed use provides for commercial use compatible with the intent to “maintain and enhance the residential, commercial and mixed-use character, scale and style of Old Town Pinole. All types of commercial and residential uses as either a single use or in combination with other allowable commercial and residential uses are allowed within this area, at intensities that preserve the character of Old Town Pinole,” contained in the description of the OTSA. The Specific Plan and Zoning Code describes the purpose of the CMU district is to “designate property for vibrant commercial and mixed-use development. While predominantly commercial (this category is designed to provide for the integration of retail and service commercial uses with office and/or residential uses).”
6. Outdoor Dining. The project does not place seating in the public right of way to interfere with sidewalk traffic, public utilities, or traffic devices. Where seating is located on the property, a minimum six-foot-wide path of travel will be required to be maintained, as conditioned.
 7. The conditional use permit request is Categorical Exempt from CEQA pursuant to Section 15301, 15303, Section 15304, and Section 15332 of the CEQA Guidelines. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) in that this proposal involves minor alteration of land. The project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Section 15304 and Section 15332 of the CEQA Guidelines. The project proposes a redesigned trash enclosure and new small storage structure. Minor changes to the landscaping of the site are made, including addition of new water-efficient landscaping and fencing. The project is consistent with applicable provisions in the General Plan and Zoning Code, the development is on a site that is no more than five acres and is surrounded by urban uses, the site has no value as habitat for endangered species, the project would not create new significant impacts, and the site can be served by required utilities and public services.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Pinole:

- A. Hereby approves the review for CUP19-09 as provided in the staff report, and subject to the Conditions of Approval attached as Exhibit A to this Resolution.
- B. The approval of CUP19-09 shall expire on February 19, 2027, unless exercised and actual construction or alteration as needed under valid permits has begun within said period or a written request has been submitted to the City, prior to the expiration date, for an extension of time as allowed under the Zoning Ordinance.

The above action is final unless an appeal is filed pursuant to Chapter 17.10 of the Pinole Municipal Code within ten (10) calendar days following Planning Commission action.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 23rd day of February 2026, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Gabriel Sandoval, Chair, 2025-2026

ATTEST:

David Hanham, Planning Manager

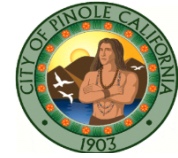


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
1.	The project shall be constructed and operated in substantial compliance with the approved Design Review and Conditional Use Permit request for the outdoor use at 2337 San Pablo Avenue (APN 401-162-002), approved by the Planning Commission as shown on the project description date-stamped received October 19, 2020 and project plans date-stamped received October 12, 2020, unless otherwise conditioned. The applicant shall obtain all required permits from the City of Pinole to implement the project (e.g., Building Permits, Encroachment Permits, etc) Any modifications must be reviewed by the Planning Manager who shall determine whether the modification requires additional approval of the Planning Commission.	Ongoing	Development Services Department	
2.	The proposed project shall be built and operated in a manner consistent with all applicable federal, state, and local regulations.	Ongoing	Development Services Department	
3.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	Ongoing	Development Services Department	



Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	Ongoing Requirements			
4.	CONDITIONS OF APPROVAL – The conditions of approval shall be kept by the applicant/owner and shall be made readily available for review when requested by the officers and representatives of the City of Pinole. These conditions of approval shall also be included in any plan set submitted for a permit with the City.	Ongoing	Development Services Department	
5.	SCHEDULE – Regular operation of the use of the site shall be within the times provided in the project description and listed below. <u>REGULAR HOURS</u> <u>Food vendors</u> Thursday-Sunday: 9:00am – 9:00pm* *Hours may change during daylight savings time but shall not deviate by more than one hour from the above-mentioned times. <u>THEMES AND TIMES</u> January to February Regular hours, as shown above.	Ongoing	Development Services Department	

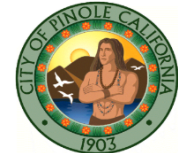


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
March to September (Spring Harvest, Taco Fest, BBQ Fest: food vendors and plant/herb vendors) Regular hours, as shown above. May to December (Art Walk: artist display and sales) <u>Art Walk</u> First Friday of the Month: 9:00am – 9:00pm <u>Food vendors</u> Regular hours, as shown above. September to October (Halloween: pumpkin patch and food vendors) <u>Pumpkin patch</u> Every day: 9:00am – 9:00pm <u>Food vendors</u> Every day: 9:00am – 9:00pm November (Day of the Dead: artist display and food vendors) November 1 and 2: 9:00am – 9:00pm			

As Approved by Planning Commission
February 23, 2026

3 of 17

Uptown Yard at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09

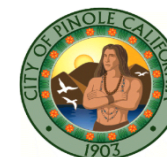


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
November to December 24th (Christmas Tree Sales and Decoration/ Holiday Market: artist display and sales and food vendors) <u>Tree Sales and Holiday Market</u> Every day: 9:00am – 9:00pm <u>Food vendors</u> Every day: 9:00am – 9:00pm Proposed modifications to the schedule shall be subject to review by the Planning Manager, who may determine if changes should return to Planning Commission for consideration. <u>SPECIAL EVENTS OR USES</u> One-time or limited-time special events or use of the site, including but not limited to community events, fundraisers, or private events, that are not noted with specific times, dates, or descriptions in the above schedule are subject to notification to the Planning Division, and the Planning Manager may determine whether further approval is required, which may include a temporary use permit, use permit modification, or new use permit. The owner should notify the Planning Division at least two weeks before the special event or use.			

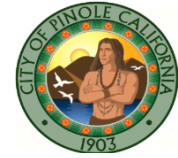


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
6.	NUMBER OF VENDORS – No more than four food vendors shall be hosted on site at the same time.	Ongoing	Development Services Department	
7.	USE EVALUATION – The proposed use may be subject to further consideration following implementation of the use. The owner shall cooperate with the Development Services Department to resolve any verified nuisance complaints regarding the use. The Planning Manager shall have the discretion to put a hold on the use and reconsider the continued operation of the use where significant nuisances attributed to the use arise. The use permit may be subject to, but is not limited to, modification or revocation. The Planning Manager shall determine whether the project should be brought to Planning Commission for further consideration.	Ongoing	Development Services Department	
8.	USE AND DESIGN MODIFICATIONS – The owner shall submit any proposed modifications to the site design or use, including days and times of events, to the Planning Manager for consideration. The Planning Manager shall determine whether the project should be brought to Planning Commission for further consideration.	Ongoing	Development Services Department	

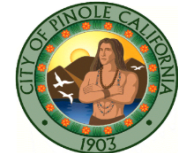


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
9.	LOCAL BUSINESSES AND ARTISTS – In the provision of vendor and artist spaces, the owner shall give preference to food vendors who prepare at Kitchen at 812, as proposed in the application’s project description, and to local businesses and artists.	Ongoing	Development Services Department	
10.	SITE MONITORING STAFF – When the site is open for use, the owner or designated site monitor, either of whom are clearly identifiable to visitors, shall be on site to manage crowds, maintain safe site conditions, and mitigate potential nuisances. The site monitor shall ensure a minimum six foot wide path of travel through the site is maintained. Security monitors shall be placed at the entrances for special events with potentially large crowds if needed to ensure visitors at these events remain within property boundaries to avoid blocking the rights-of-way. The owner or designated site monitor shall be responsible for implementing recommendations and requirements of public health agencies and authorities in maintaining a safe and healthy environment, which may include but is not limited to sanitizing shared amenities, managing the concentration of visitors, and maintaining safe separation distances.	Ongoing	Development Services Department	

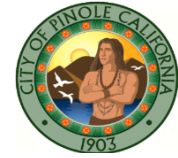


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
11.	LANDSCAPING MAINTENANCE – The owner shall maintain all landscaping on site. The owner shall replace all dead or dying plants on site with plants of the same species or with plants of comparable water use and size at maturity that are suitable for the Pinole climate.	Ongoing	Development Services Department	
12.	STORAGE – The owner shall ensure that all tables, chairs, and equipment are stored away and secured when not in use.	Ongoing	Development Services Department	
13.	TRASH AND DEBRIS – The owner shall ensure that the property remains free of trash and debris. When the property is open to the public, the owner shall make waste receptacles readily available and clearly visible on site. Each vendor shall be required to provide waste receptacles for trash, recycling, and compost recycling. Following the end of use each day, waste receptacles shall be promptly returned to their designated enclosed storage areas. The owner shall be responsible for coordinating waste pick-up with the waste management provider on a weekly basis at minimum, and the frequency of pick-up shall be increased as needed to ensure the property remains free of waste and receptacles have sufficient capacity at all times. The owner shall ensure waste bins are returned to designated enclosed areas within 24 hours of pick-up.	Ongoing	Development Services Department	

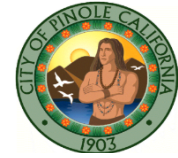


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
14.	SANITARY FACILITIES AND RESTROOMS – The owner shall ensure sanitary facilities, including handwashing facilities and portable restrooms, are available for public use whenever the property is open to the public. The site shall have at least one restroom and handwashing facility each day the use is in operation. Restrooms and handwashing facilities shall be serviced at least two times per week or before a restroom has reached 150 uses (or the prescribed average uses under the design specifications of the portable restroom), whichever is more frequent. The number of restrooms and handwashing facilities and/or frequency of servicing shall be increased as needed to follow the current public health recommendations and guidance provided by local, state, or federal agencies and authorities.	Ongoing	Development Services Department	
15.	LIVE MUSIC SCHEDULE – The site may have live music no more than 30 days per year, with no more than three days per month, and only within the following timeframes: Fridays – 5pm to 8pm Saturdays – 5pm to 9pm Sundays – 12pm to 8pm	Ongoing	Development Services Department	

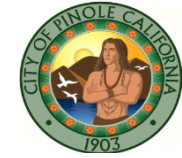


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
16.	AMPLIFIED MUSIC – No amplified music shall be played on site without prior approval from the Development Services Department.	Ongoing	Development Services Department	
17.	ENTRIES AND LOCKS – Entry gates shall be kept wide opening during use of the space to maintain visibility inside the site when viewed from the parking lot and right-of-way. The entries shall be locked when the site is not in use. The type of locks shall be labelled in the final plan set for review by the Police Department.	Ongoing	Development Services Department/ Police Department	
18.	LIGHTING – The owner shall ensure that lighting is available on site during late-afternoon to evening hours and the entire lot has adequate lighting. Lighting equipment shall include shields to project light downward and to prevent light and glare impacts on adjacent properties and the right-of-way. The proposed lighting set-up locations, including portable lighting equipment, shall be identified in the final plan set for review by the Police Department.	Ongoing	Development Services Department/ Police Department	

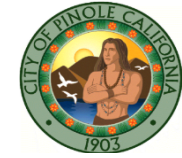


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
19.	FIRE SAFETY –The following Fire Safety comments from preliminary review of the project shall be implemented, unless otherwise modified by the Fire Department review of final project plans: • A minimum of two fire extinguishers shall be provided on site and shall be a minimum size of 2A10BC. • Egress doors, gates or the like shall swing in the direction of the egress path (i.e., out to the parking lot). • A minimum 36 inch clearance shall be maintained between tables (from back of chair to back of chair), vendor booths, and artist display areas to provide for egress.	Ongoing	Development Services Department/ Fire Department	
20.	VENDOR, ARTIST, AND OTHER SET-UP – The owner, vendors, artists, or other parties setting up booths, furniture, and other items on site shall access the site from the adjacent parking lot.	Ongoing	Development Services Department	
21.	ALCOHOL SALES AND SERVICE – Alcohol sales and service on site shall not be permitted without obtaining additional necessary approvals from the City of Pinole and the California Department of Alcohol and Beverage Control.	Ongoing	Development Services Department	

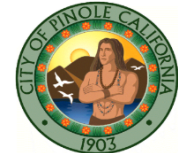


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
22.	SIGNAGE – Any permanent or temporary signage proposal shall be reviewed by the Development Services Department prior to installation and shall comply with the applicable permit requirements of Chapter 17.52 Signs of the Municipal Code and the specifications of the Three Corridors Specific Plan.	Ongoing	Development Services Department	
23.	PARKING AND TRANSPORTATION INFORMATION – The owner shall provide clearly visible information and maps inside the site regarding the location of Old Town parking lots and public transportation stops. The owner should also incorporate parking and transit information in marketing materials and project-related webpages where possible.	Ongoing	Development Services Department	
24.	CERTIFICATE OF INSURANCE – The owner shall provide a certificate of insurance that designates the City of Pinole as additional insured. The owner shall provide updated certificates of insurance where any change to insurance is made.	Prior to Issuance of Permits, and Ongoing	Development Services Department	
25.	BUSINESS LICENSES/ COUNTY HEALTH PERMITS – All vendors and parties conducting business on site shall hold a valid business license from the City of Pinole. All vendors and parties serving food shall obtain applicable permits from the Contra Costa Health Services Division.	Ongoing	Development Services Department/ Finance Department	



Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
26.	EASEMENT RESPONSIBILITIES – The owner acknowledges that any use of easement areas dedicated to the City of Pinole may be subject to revocation for future City projects and purposes. In such cases, the owner shall be responsible for removing all new structures proposed in this project and all personal property from the easement area, including tables, chairs, and bins. If requested by the City, the owner shall be responsible for restoring the trash enclosure within the easement to the original size and design specifications. Should the owner fail to act on the aforementioned removal and/or restoration of elements in the easement area after receiving notice from the City, the owner shall be responsible for reimbursing the City for any cost-incurred by the City to conduct such work, and the City shall not be held liable for the demolition and/or disposal of structures and property.	Ongoing	Development Services Department	
	Prior to Issuance of Building Permits			
27.	LANDSCAPE AND FENCING PLAN – The applicant shall prepare and submit a final full detailed landscape, fencing and irrigation plan for review and approval by the Development Services Department prior to the issuance of building permits. The landscape, fencing and irrigation plan shall include the number, type, and size of all proposed new trees, shrubs, and groundcover specimens. Any new fencing or gate design details shall be included within the building construction plans. All proposed plantings shall be drought-	Prior to Issuance of Building Permits	Development Services Department	



Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	tolerant and well-suited to the City's climate zone. The detailed landscape, fencing and irrigation plan shall be consistent with all applicable requirements of the Municipal Code including Chapter 17.44.			
28.	LIGHTING DETAILS – The applicant shall include the location and description of existing and proposed lighting on site, including lighting specifications, examples, or cut sheets, in the building plan set. Light fixtures selected shall include shields to project light downward and to prevent light and glare impacts on adjacent properties and the right-of-way.	Prior to Issuance of Building Permits	Development Services Department	
29.	DRAINAGE PLANS – The applicant shall prepare a final drainage plan for Development Services Department review and approval. The construction drainage plan will show how drainage will be handled during construction. The final drainage plan will show how drainage will be handled after construction is complete. Site design shall avoid drainage of water from one property onto another property and shall be subject to approval by the City Engineer.	Prior to Issuance of Building Permits	Development Services Department	
30.	BICYCLE PARKING – The applicant shall identify areas to accommodate parking of at least five bicycles and clearly identify these locations with markers or signs on site.	Prior to Issuance of Building Permits	Development Services Department	



Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
31.	POLICE DEPARTMENT REVIEW – The applicant shall provide the final project description, event schedule, and plan to the Police Department Community Outreach Unit for final review.	Prior to Issuance of Permits	Development Services Department/ Police Department	
32.	FIRE DEPARTMENT REVIEW – The applicant shall address all comments from the Fire Department's preliminary review of the proposal and review of final plans and shall pay any outstanding fees for plan review, prior to issuance of any permits.	Prior to Issuance of Permits	Development Services Department/ Fire Department	
33.	PRE-CONSTRUCTION WASTE MANAGEMENT PLAN – The applicant shall complete a pre-construction waste management plan. Forms can be obtained from the Development Services Department.	Prior to Issuance of Building Permits	Development Services Department	
34.	PERMITS, BONDS, AND INSURANCE – The applicant shall obtain an encroachment permit, posting the required bonds and insurance, for any work to be done in the City's right-of-way. This encroachment permit shall be obtained prior to the issuance of a building permit and prior to any work being done in the City's right-of-way.	Prior to Issuance of Building Permits	Development Services Department	
35.	MATERIAL HAULING – The applicant shall submit a proposed material hauling route and schedule. All material hauling activities including, but not limited to, adherence to approved route, hours of operation, dust control and street maintenance shall be the responsibility of the applicant (as per Section 15.36.080 of the Municipal Code). Violation of the applicable may be cause for suspension of work.	Prior to Issuance of Building Permits	Development Services Department	

As Approved by Planning Commission
February 23, 2026

14 of 17

Uptown Yard at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09

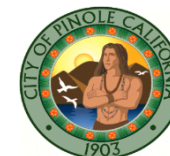


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	During Construction and Prior to Occupancy			
36.	CONSTRUCTION SITE INFORMATION – A construction contact person’s name, mobile phone number, and email address shall be posted on the project site during the duration of construction. The property address shall be clearly marked during the project construction process.	During Construction	Development Services Department	
37.	CONSTRUCTION ACTIVITY – The building permit holder shall ensure the following provisions to control noise, dust, and construction debris nuisance occur during construction: A. Building construction activities shall occur only between 7:00A.M. and 5:00 P.M., Monday through Friday on non-federal holidays. Interior construction work may occur between 9:00A.M. and 6:00P.M. on weekends if requested and approved by the City as allowed under Chapter 15.02 of the City Municipal Code. B. All construction vehicles shall be properly maintained and equipped with exhaust mufflers and meet State and Federal standards. C. Newly disturbed soil surfaces shall be watered down regularly throughout the day and any construction grading activity shall be discontinued in wind conditions greater than 10 miles per hour.	During Construction	Development Services Department	

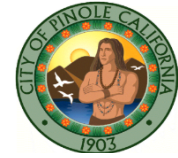


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	D. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation. E. All excavated or silty materials shall be covered with a tarp during transit to and from the site. F. All construction debris shall be covered with a tarp during transit from the site. G. The construction site shall be maintained in an orderly fashion and litter shall be contained and properly disposed of on a daily basis.			
38.	SITE MAINTENANCE – The construction site shall be cleaned of garbage and debris on a daily basis and maintained in an orderly fashion. All construction equipment shall be secured at the end of each day of construction.	During Construction	Development Services Department	
39.	INSPECTIONS – The applicant shall notify the Development Services Department at least forty-eight (48) hours prior to starting any work pertaining to on-site drainage facilities, grading, or paving, as well as any work in the City's right-of-way as per Section 15.36.230 of the Municipal Code. The applicant shall arrange all inspections with the Building Division, Fire Department, and Public Works Division. All Building Division inspection requests shall be made at least 24 hours in advance.	During Construction	Development Services Department	

As Approved by Planning Commission
February 23, 2026

16 of 17

Uptown Yard at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09

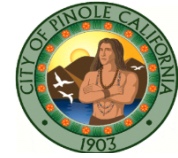


Exhibit A
Planning Commission Resolution 26-03 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
40.	ACCESS TO SAN PABLO AVENUE – Project construction vehicles and vehicles belonging to construction workers shall not block access to San Pablo Avenue or any other public roadway.	During Construction	Development Services Department	
41.	SIDEWALK, CURB AND GUTTER REPAIR – The applicant shall repair and replace to existing City standards, any damaged sidewalk, curb and gutter on or abutting the project site.	Prior to Final	Development Services Department	
42.	POST-CONSTRUCTION WASTE MANAGEMENT Report – The applicant shall complete a post-construction waste management report prior to issuance of a certificate of occupancy.	Prior to Final	Development Services Department	
43.	ONE YEAR REVIEW – These conditions of approval shall be brought back for review before the Planning Commission in one year to review the adequacy of the Conditional Use Permit and possible modification.	One Year After the Start of Operation	Development Services Department	

**PLANNING COMMISSION RESOLUTION 20-01
WITH EXHIBIT A: CONDITIONS OF APPROVAL**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING A DESIGN REVIEW REQUEST (DR19-14) AND CONDITIONAL USE PERMIT (CUP19-09), AND MAKING A SIMILAR USE DETERMINATION, TO MAKE SITE IMPROVEMENTS FOR AN OUTDOOR SEATING SPACE WITH FENCING, A SMALL STRUCTURE, AND A TRASH ENCLOSURE REDESIGN AND TO PROVIDE FOR HOSTING OF ARTISAN DISPLAYS, EVENTS, VENDORS AND FOOD VENDORS ON AN APPROXIMATELY 4,140 SQUARE FOOT VACANT LOT IN THE CMU ZONING DISTRICT AT 2337 SAN PABLO AVENUE, APN: 401-162-002

WHEREAS, Raquel Contreras has filed an application for Design Review (DR19-14) and Conditional Use Permit (CUP19-09) with the City of Pinole to make site improvements to create an outdoor seating, artisan display/sales, and food vendor hosting space on an approximately 4,140 square foot vacant lot; and

WHEREAS, the Planning Commission of the City of Pinole is the appropriate authority to hear and take action on this project; and

WHEREAS, said property is designated Old Town Sub-Area (OTSA) in the Pinole General Plan and Three Corridors Specific Plan and is intended to maintain and enhance the area's quaint residential, commercial and mixed-use nature, architectural scale, character, style, and serve as a connection to Old Town Pinole; and

WHEREAS, the property is zoned Commercial Mixed Use (CMU), which allows for commercial uses; and

WHEREAS, the project proposes a use for an outdoor seating space to host artisan displays/sales and food vendors that corresponds to commercial uses but does not have a single direct corresponding use definition specifically listed in the Zoning Code or Specific Plan; and

WHEREAS, when a particular use is not specifically listed in this Zoning Code and it is unclear whether the use is permitted, the municipal code allows the approving authority to determine whether or not a proposed use is similar to a permitted or conditionally permitted use

WHEREAS, the findings can be made for a Similar Use Determination in that the project contains uses comparable to Parks and Public Plazas, Restaurants, Retail, and Artisan Shops, which are permitted uses in the same district, and the proposed use will be consistent with the General Plan, Specific Plan, and Zoning Code; and

WHEREAS, design review is required for the redesign and site improvements of a commercial site; and

WHEREAS, a conditional use permit is required to establish the use of the site for special events that exceed three periods per year and/or 30 calendar days per year and to allow outdoor dining; and

WHEREAS, the design of the site meets applicable development standards and Specific Plan design guidelines; and

WHEREAS, the project meets the criteria for a Categorical Exemption as an In-Fill Project, a

new small structures, and minor alternations of land pursuant to Section 15303, Section 15304 and Section 15332 of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Planning Commission of the City of Pinole has conducted a duly noticed public hearing to consider DR19-14 and CUP19-09 on February 24, 2020, and the meeting was continued to a date uncertain; and

WHEREAS, the Planning Commission of the City of Pinole has conducted a duly noticed public hearing to continue consideration of DR19-14 and CUP19-09 on October 26, 2020 and was adjourned to October 27, 2020; and

WHEREAS, the Planning Commission of the City of Pinole held a public hearing to continue consideration of DR19-14 and CUP19-09 on October 27, 2020; and

WHEREAS, after the close of public hearing, the Planning Commission considered all public comments received both before and during the public hearing, the presentation by City staff, the staff report, and all other pertinent information regarding the proposed development.

NOW, THEREFORE, the Planning Commission hereby finds that:

1. The Planning Commission has considered the full record before it, which may include but is not limited to such information as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are true and correct and are incorporated herein by reference.
2. The design review request is consistent with the General Plan and Specific Plan in that the proposed project involves commercial use compatible with the intent to "maintain and enhance the residential, commercial and mixed-use character, scale and style of Old Town Pinole. All types of commercial and residential uses as either a single use or in combination with other allowable commercial and residential uses are allowed within this area, at intensities that preserve the character of Old Town Pinole." The project supports General Plan Goals and Policies found in the Land Use and Economic Development Element and Community Character Element.
3. The design review request, as conditioned, is consistent with the applicable provisions of the Zoning Code, in that it proposes minimal construction on the site located in the Commercial Mixed Use (CMU) zoning district and complies with applicable development standards.
4. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation in that the design of the lot is designed for pedestrian access. Additionally, temporary loading and unloading for vendor and artist set-up involves access to the lot from the parking lot to minimize conflicts.
5. The site design is compatible with and complements the existing surrounding environment and ultimate character of the area under the general plan and applicable specific plans in that the project provides improves the appearance of the lot in the Old Town area through new fencing and landscaping.
6. The project complies with design criteria and guidelines.

7. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city in that the project, as conditioned, shall improve an underutilized site and establish ongoing requirements to maintain operations.
8. The site of the proposed use is physically suitable for the type, density and intensity of the use and related structures being proposed in that the site does not propose construction of a new building and the proposed use would primarily be commercial in nature.
9. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and improvements are compatible with permitted uses in the zoning district and does not include construction of commercial structures.
10. Similar Use Determination. The project proposes uses similar to other permitted and conditionally permitted uses in the zoning district and is consistent with the general plan, specific plan, and zoning code.
 - a. The characteristics of and activities associated with the proposed use are equivalent to one (1) or more of the listed uses and will not involve a higher level of activity or population density than the uses listed in the zoning district. Parks and Public Plazas, Restaurant, Retail and Artisan Shop are a permitted uses in the CMU district and comparable to the proposed use.
 - b. The proposed use will be consistent with the purposes of the applicable zoning district. The project is consistent with the development standards of the zoning district as no new permanent structures are proposed for development.
 - c. The proposed use will be consistent with the general plan, any applicable specific plan, and the zoning code. The proposed uses are consistent with the general plan land use designation of OTSA and the specific plan and zoning code CMU district in that the proposed use provides for commercial use compatible with the intent to "maintain and enhance the residential, commercial and mixed-use character, scale and style of Old Town Pinole. All types of commercial and residential uses as either a single use or in combination with other allowable commercial and residential uses are allowed within this area, at intensities that preserve the character of Old Town Pinole," contained in the description of the OTSA. The Specific Plan and Zoning Code describes the purpose of the CMU district is to "designate property for vibrant commercial and mixed-use development. While predominately commercial (this category is designed to provide for the integration of retail and service commercial uses with office and/or residential uses)."
11. Outdoor Dining. The project does not place seating in the public right of way to interfere with sidewalk traffic, public utilities, or traffic devices. Where seating is located on the property, a minimum six foot wide path of travel will be required to be maintained, as conditioned.
12. The design review and conditional use permit request is Categorically Exempt from CEQA pursuant to Section 150303, Section 15304, and Section 15332 of the CEQA Guidelines. The project is exempt from the requirements of the California Environmental Quality Act (CEQA) in that this proposal involves minor alteration of land. The project is determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Section 15304 and Section 15332 of the CEQA Guidelines. The project proposes a redesigned trash enclosure and new small storage structure. Minor changes to the

landscaping of the site are made, including addition of new water-efficient landscaping and fencing. The project is consistent with applicable provisions in the General Plan and Zoning Code, the development is on a site that is no more than five acres and is surrounded by urban uses, the site has no value as habitat for endangered species, the project would not create new significant impacts, and the site can be served by required utilities and public services.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pinole:

- A. Hereby approves DR19-14 and CUP19-09 as provided in the staff report, and subject to the Conditions of Approval attached as Exhibit A to this Resolution.
- B. The approval of DR19-14 and CUP19-09 shall expire on October 27, 2021, unless exercised and actual construction or alteration as needed under valid permits has begun within said period or a written request has been submitted to the City, prior to the expiration date, for an extension of time as allowed under the Zoning Ordinance.

The above action is final unless an appeal is filed pursuant to Chapter 17.10 of the Pinole Municipal Code within ten (10) calendar days following Planning Commission action.

PASSED AND ADOPTED by the Planning Commission of the City of Pinole on this 27th day of October 2020, by the following vote:

AYES: Moriarty, Murphy, Wong, and Chair Kurrent

NOES: None

ABSTAIN: Flashman

ABSENT: None



David Kurrent, Chair, 2019-2020

ATTEST:



David Hanham, Planning Manager



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department/ Division</u>	<u>Verification (date and sign)</u>
1.	The project shall be constructed and operated in substantial compliance with the approved Design Review and Conditional Use Permit request for the outdoor use at 2337 San Pablo Avenue (APN 401-162-002), approved by the Planning Commission as shown on the project description date-stamped received October 19, 2020 and project plans date-stamped received October 12, 2020, unless otherwise conditioned. The applicant shall obtain all required permits from the City of Pinole to implement the project (e.g., Building Permits, Encroachment Permits, etc) Any modifications must be reviewed by the Planning Manager who shall determine whether the modification requires additional approval of the Planning Commission.	Development Services Department	
2.	The proposed project shall be built and operated in a manner consistent with all applicable federal, state, and local regulations.	Development Services Department	
3.	The Applicant shall hold harmless the City, its Council Members, its Planning Commission, officers, agents, employees, and representatives from liability for any award, damages, costs and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.	Development Services Department	

As Approved by Planning Commission
October 27, 2020

1 of 17

Casa Amada at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
<u>Ongoing Requirements</u>			
4.	CONDITIONS OF APPROVAL – The conditions of approval shall be kept by the applicant/owner and shall be made readily available for review when requested by the officers and representatives of the City of Pinole. These conditions of approval shall also be included in any plan set submitted for a permit with the City.	Development Services Department	
5.	SCHEDULE – Regular operation of the use of the site shall be within the times provided in the project description and listed below. <u>REGULAR HOURS</u> <u>Food vendors</u> Thursday-Sunday: 9:00am – 9:00pm* *Hours may change during daylight savings time but shall not deviate by more than one hour from the above-mentioned times. <u>THEMES AND TIMES</u> January to February Regular hours, as shown above.	Development Services Department	

As Approved by Planning Commission
October 27, 2020

2 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	March to September (Spring Harvest, Taco Fest, BBQ Fest: food vendors and plant/herb vendors) Regular hours, as shown above. May to December (Art Walk: artist display and sales) Art Walk First Friday of the Month: 9:00am – 9:00pm Food vendors Regular hours, as shown above. September to October (Halloween: pumpkin patch and food vendors) Pumpkin patch Every day: 9:00am – 9:00pm Food vendors Every day: 9:00am – 9:00pm November (Day of the Dead: artist display and food vendors) November 1 and 2: 9:00am – 9:00pm		

As Approved by Planning Commission
October 27, 2020

3 of 17

Casa Amada at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	November to December 24th (Christmas Tree Sales and Decoration/ Holiday Market: artist display and sales and food vendors) <u>Tree Sales and Holiday Market</u> Every day: 9:00am – 9:00pm <u>Food vendors</u> Every day: 9:00am – 9:00pm Proposed modifications to the schedule shall be subject to review by the Planning Manager, who may determine if changes should return to Planning Commission for consideration. <u>SPECIAL EVENTS OR USES</u> One-time or limited-time special events or use of the site, including but not limited to community events, fundraisers, or private events, that are not noted with specific times, dates, or descriptions in the above schedule are subject to notification to the Planning Division, and the Planning Manager may determine whether further approval is required, which may include a temporary use permit, use permit modification, or new use permit. The owner should notify the Planning Division at least two weeks before the special event or use.		

As Approved by Planning Commission
October 27, 2020

4 of 17

Casa Amada at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
6.	NUMBER OF VENDORS – No more than four food vendors shall be hosted on site at the same time.	Ongoing	Development Services Department	
7.	USE EVALUATION – The proposed use may be subject to further consideration following implementation of the use. The owner shall cooperate with the Development Services Department to resolve any verified nuisance complaints regarding the use. The Planning Manager shall have the discretion to put a hold on the use and reconsider the continued operation of the use where significant nuisances attributed to the use arise. The use permit may be subject to, but is not limited to, modification or revocation. The Planning Manager shall determine whether the project should be brought to Planning Commission for further consideration.	Ongoing	Development Services Department	
8.	USE AND DESIGN MODIFICATIONS – The owner shall submit any proposed modifications to the site design or use, including days and times of events, to the Planning Manager for consideration. The Planning Manager shall determine whether the project should be brought to Planning Commission for further consideration.	Ongoing	Development Services Department	

As Approved by Planning Commission
October 27, 2020

5 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
9.	LOCAL BUSINESSES AND ARTISTS – In the provision of vendor and artist spaces, the owner shall give preference to food vendors who prepare at Kitchen at 812, as proposed in the application's project description, and to local businesses and artists.	Ongoing	Development Services Department	
10.	SITE MONITORING STAFF – When the site is open for use, the owner or designated site monitor, either of whom are clearly identifiable to visitors, shall be on site to manage crowds, maintain safe site conditions, and mitigate potential nuisances. The site monitor shall ensure a minimum six foot wide path of travel through the site is maintained. Security monitors shall be placed at the entrances for special events with potentially large crowds if needed to ensure visitors at these events remain within property boundaries to avoid blocking the rights-of-way. The owner or designated site monitor shall be responsible for implementing recommendations and requirements of public health agencies and authorities in maintaining a safe and healthy environment, which may include but is not limited to sanitizing shared amenities, managing the concentration of visitors, and maintaining safe separation distances.	Ongoing	Development Services Department	

As Approved by Planning Commission
October 27, 2020

6 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department/ Division</u>	<u>Verification (date and sign)</u>
11.	LANDSCAPING MAINTENANCE – The owner shall maintain all landscaping on site. The owner shall replace all dead or dying plants on site with plants of the same species or with plants of comparable water use and size at maturity that are suitable for the Pinole climate.	Ongoing	Development Services Department	
12.	STORAGE – The owner shall ensure that all tables, chairs, and equipment are stored away and secured when not in use.	Ongoing	Development Services Department	
13.	TRASH AND DEBRIS – The owner shall ensure that the property remains free of trash and debris. When the property is open to the public, the owner shall make waste receptacles readily available and clearly visible on site. Each vendor shall be required to provide waste receptacles for trash, recycling, and compost recycling. Following the end of use each day, waste receptacles shall be promptly returned to their designated enclosed storage areas. The owner shall be responsible for coordinating waste pick-up with the waste management provider on a weekly basis at minimum, and the frequency of pick-up shall be increased as needed to ensure the property remains free of waste and receptacles have sufficient capacity at all times. The owner shall ensure waste bins are returned to designated enclosed areas within 24 hours of pick-up.	Ongoing	Development Services Department	

As Approved by Planning Commission
October 27, 2020

7 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
14.	SANITARY FACILITIES AND RESTROOMS – The owner shall ensure sanitary facilities, including handwashing facilities and portable restrooms, are available for public use whenever the property is open to the public. The site shall have at least one restroom and handwashing facility each day the use is in operation. Restrooms and handwashing facilities shall be serviced at least two times per week or before a restroom has reached 150 uses (or the prescribed average uses under the design specifications of the portable restroom), whichever is more frequent. The number of restrooms and handwashing facilities and/or frequency of servicing shall be increased as needed to follow the current public health recommendations and guidance provided by local, state, or federal agencies and authorities.	Development Services Department	
15.	LIVE MUSIC SCHEDULE – The site may have live music no more than 30 days per year, with no more than three days per month, and only within the following timeframes: Fridays – 5pm to 8pm Saturdays – 5pm to 9pm Sundays – 12pm to 8pm	Development Services Department	

As Approved by Planning Commission
October 27, 2020

8 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
16.	AMPLIFIED MUSIC – No amplified music shall be played on site without prior approval from the Development Services Department.	Development Services Department	
17.	ENTRIES AND LOCKS – Entry gates shall be kept wide opening during use of the space to maintain visibility inside the site when viewed from the parking lot and right-of-way. The entries shall be locked when the site is not in use. The type of locks shall be labelled in the final plan set for review by the Police Department.	Development Services Department/ Police Department	
18.	LIGHTING – The owner shall ensure that lighting is available on site during late-afternoon to evening hours and the entire lot has adequate lighting. Lighting equipment shall include shields to project light downward and to prevent light and glare impacts on adjacent properties and the right-of-way. The proposed lighting set-up locations, including portable lighting equipment, shall be identified in the final plan set for review by the Police Department.	Development Services Department/ Police Department	

As Approved by Planning Commission
October 27, 2020

9 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
19.	FIRE SAFETY –The following Fire Safety comments from preliminary review of the project shall be implemented, unless otherwise modified by the Fire Department review of final project plans: • A minimum of two fire extinguishers shall be provided on site and shall be a minimum size of 2A10BC. • Egress doors, gates or the like shall swing in the direction of the egress path (i.e., out to the parking lot). • A minimum 36 inch clearance shall be maintained between tables (from back of chair to back of chair), vendor booths, and artist display areas to provide for egress.	Development Services Department/ Fire Department	
20.	VENDOR, ARTIST, AND OTHER SET-UP – The owner, vendors, artists, or other parties setting up booths, furniture, and other items on site shall access the site from the adjacent parking lot.	Development Services Department	
21.	ALCOHOL SALES AND SERVICE – Alcohol sales and service on site shall not be permitted without obtaining additional necessary approvals from the City of Pinole and the California Department of Alcohol and Beverage Control.	Development Services Department	

As Approved by Planning Commission
October 27, 2020

10 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
22.	SIGNAGE – Any permanent or temporary signage proposal shall be reviewed by the Development Services Department prior to installation and shall comply with the applicable permit requirements of Chapter 17.52 Signs of the Municipal Code and the specifications of the Three Corridors Specific Plan.	Development Services Department	
23.	PARKING AND TRANSPORTATION INFORMATION – The owner shall provide clearly visible information and maps inside the site regarding the location of Old Town parking lots and public transportation stops. The owner should also incorporate parking and transit information in marketing materials and project-related webpages where possible.	Development Services Department	
24.	CERTIFICATE OF INSURANCE – The owner shall provide a certificate of insurance that designates the City of Pinole as additional insured. The owner shall provide updated certificates of insurance where any change to insurance is made.	Development Services Department	
25.	BUSINESS LICENSES/ COUNTY HEALTH PERMITS – All vendors and parties conducting business on site shall hold a valid business license from the City of Pinole. All vendors and parties serving food shall obtain applicable permits from the Contra Costa Health Services Division.	Development Services Department/ Finance Department	

As Approved by Planning Commission
October 27, 2020

11 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
26.	EASEMENT RESPONSIBILITIES – The owner acknowledges that any use of easement areas dedicated to the City of Pinole may be subject to revocation for future City projects and purposes. In such cases, the owner shall be responsible for removing all new structures proposed in this project and all personal property from the easement area, including tables, chairs, and bins. If requested by the City, the owner shall be responsible for restoring the trash enclosure within the easement to the original size and design specifications. Should the owner fail to act on the aforementioned removal and/or restoration of elements in the easement area after receiving notice from the City, the owner shall be responsible for reimbursing the City for any cost-incurred by the City to conduct such work, and the City shall not be held liable for the demolition and/or disposal of structures and property.	Development Services Department	
27.	Prior to Issuance of Building Permits LANDSCAPE AND FENCING PLAN – The applicant shall prepare and submit a final full detailed landscape, fencing and irrigation plan for review and approval by the Development Services Department prior to the issuance of building permits. The landscape, fencing and irrigation plan shall include the number, type, and size of all proposed new trees, shrubs, and groundcover specimens. Any new fencing or gate design details shall be included within the building construction plans. All proposed plantings shall be drought-	Prior to Issuance of Building Permits Development Services Department	

As Approved by Planning Commission
October 27, 2020

12 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	tolerant and well-suited to the City's climate zone. The detailed landscape, fencing and irrigation plan shall be consistent with all applicable requirements of the Municipal Code including Chapter 17.44.			
28.	LIGHTING DETAILS – The applicant shall include the location and description of existing and proposed lighting on site, including lighting specifications, examples, or cut sheets, in the building plan set. Light fixtures selected shall include shields to project light downward and to prevent light and glare impacts on adjacent properties and the right-of-way.	Prior to Issuance of Building Permits	Development Services Department	
29.	DRAINAGE PLANS – The applicant shall prepare a final drainage plan for Development Services Department review and approval. The construction drainage plan will show how drainage will be handled during construction. The final drainage plan will show how drainage will be handled after construction is complete. Site design shall avoid drainage of water from one property onto another property and shall be subject to approval by the City Engineer.	Prior to Issuance of Building Permits	Development Services Department	
30.	BICYCLE PARKING – The applicant shall identify areas to accommodate parking of at least five bicycles and clearly identify these locations with markers or signs on site.	Prior to Issuance of Building Permits	Development Services Department	

As Approved by Planning Commission
October 27, 2020

13 of 17

Casa Amada at 2337 San Pablo Avenue
Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
31.	POLICE DEPARTMENT REVIEW – The applicant shall provide the final project description, event schedule, and plan to the Police Department Community Outreach Unit for final review.	Prior to Issuance of Permits	Development Services Department/ Police Department	
32.	FIRE DEPARTMENT REVIEW – The applicant shall address all comments from the Fire Department's preliminary review of the proposal and review of final plans and shall pay any outstanding fees for plan review, prior to issuance of any permits.	Prior to Issuance of Permits	Development Services Department/ Fire Department	
33.	PRE-CONSTRUCTION WASTE MANAGEMENT PLAN – The applicant shall complete a pre-construction waste management plan. Forms can be obtained from the Development Services Department.	Prior to Issuance of Building Permits	Development Services Department	
34.	PERMITS, BONDS, AND INSURANCE – The applicant shall obtain an encroachment permit, posting the required bonds and insurance, for any work to be done in the City's right-of-way. This encroachment permit shall be obtained prior to the issuance of a building permit and prior to any work being done in the City's right-of-way.	Prior to Issuance of Building Permits	Development Services Department	
35.	MATERIAL HAULING – The applicant shall submit a proposed material hauling route and schedule. All material hauling activities including, but not limited to, adherence to approved route, hours of operation, dust control and street maintenance shall be the responsibility of the applicant (as per Section 15.36.080 of the Municipal Code). Violation of the applicable may be cause for suspension of work.	Prior to Issuance of Building Permits	Development Services Department	

As Approved by Planning Commission
October 27, 2020

14 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department/ Division</u>	<u>Verification (date and sign)</u>
	During Construction and Prior to Occupancy			
36.	CONSTRUCTION SITE INFORMATION – A construction contact person's name, mobile phone number, and email address shall be posted on the project site during the duration of construction. The property address shall be clearly marked during the project construction process.	During Construction	Development Services Department	
37.	CONSTRUCTION ACTIVITY – The building permit holder shall ensure the following provisions to control noise, dust, and construction debris nuisance occur during construction: A. Building construction activities shall occur only between 7:00A.M. and 5:00 P.M., Monday through Friday on non-federal holidays. Interior construction work may occur between 9:00A.M. and 6:00P.M. on weekends if requested and approved by the City as allowed under Chapter 15.02 of the City Municipal Code. B. All construction vehicles shall be properly maintained and equipped with exhaust mufflers and meet State and Federal standards. C. Newly disturbed soil surfaces shall be watered down regularly throughout the day and any construction grading activity shall be discontinued in wind conditions greater than 10 miles per hour.	During Construction	Development Services Department	

As Approved by Planning Commission
October 27, 2020

15 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

	<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
	D. Construction activities shall be scheduled so that paving and foundation placement begin immediately upon completion of grading operation. E. All excavated or silty materials shall be covered with a tarp during transit to and from the site. F. All construction debris shall be covered with a tarp during transit from the site. G. The construction site shall be maintained in an orderly fashion and litter shall be contained and properly disposed of on a daily basis.		
38.	SITE MAINTENANCE – The construction site shall be cleaned of garbage and debris on a daily basis and maintained in an orderly fashion. All construction equipment shall be secured at the end of each day of construction.	Development Services Department	
39.	INSPECTIONS – The applicant shall notify the Development Services Department at least forty-eight (48) hours prior to starting any work pertaining to on-site drainage facilities, grading, or paving, as well as any work in the City's right-of-way as per Section 15.36.230 of the Municipal Code. The applicant shall arrange all inspections with the Building Division, Fire Department, and Public Works Division. All Building Division inspection requests shall be made at least 24 hours in advance.	Development Services Department	

As Approved by Planning Commission
October 27, 2020

16 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue



Exhibit A
Planning Commission Resolution 20-01 CONDITIONS OF APPROVAL

		<u>Timing/ Implementation</u>	<u>Monitoring Department / Division</u>	<u>Verification (date and sign)</u>
40.	ACCESS TO SAN PABLO AVENUE – Project construction vehicles and vehicles belonging to construction workers shall not block access to San Pablo Avenue or any other public roadway.	During Construction	Development Services Department	
41.	SIDEWALK, CURB AND GUTTER REPAIR – The applicant shall repair and replace to existing City standards, any damaged sidewalk, curb and gutter on or abutting the project site.	Prior to Final	Development Services Department	
42.	POST-CONSTRUCTION WASTE MANAGEMENT Report – The applicant shall complete a post-construction waste management report prior to issuance of a certificate of occupancy.	Prior to Final	Development Services Department	
43.	ONE YEAR REVIEW – These conditions of approval shall be brought back for review before the Planning Commission in one year to review the adequacy of the Conditional Use Permit and possible modification.	One Year After the Start of Operation	Development Services Department	

As Approved by Planning Commission
October 27, 2020

17 of 17

Design Review (DR) 19-14 & Conditional Use Permit (CUP) 19-09
Casa Amada at 2337 San Pablo Avenue

MINUTES OF THE REGULAR MEETING
PINOLE PLANNING COMMISSION

October 26, 2020

DUE TO THE STATE OF CALIFORNIA'S DECLARATION OF EMERGENCY – THIS MEETING WAS HELD PURSUANT TO AUTHORIZATION FROM GOVERNOR NEWSOM'S EXECUTIVE ORDERS – CITY COUNCIL AND COMMISSION MEETINGS WERE NO LONGER OPEN TO IN-PERSON ATTENDANCE. THE MEETING WAS HELD VIA ZOOM TELECONFERENCE.

A. CALL TO ORDER: 7:05 P.M.

B. PLEDGE OF ALLEGIANCE AND ROLL CALL

Commissioners Present: Flashman, Moriarty, Murphy, Wong, Chair Kurrent

Commissioners Absent: Ojeda

Staff Present: David Hanham, Planning Manager
Justin Shiu, Contract Planner
Alex Mog, Assistant City Attorney

C. CITIZENS TO BE HEARD

Planning Manager David Hanham reported no comments had been received via e-mail to be read into the record.

D. CONSENT CALENDAR

1. Planning Commission Meeting Minutes from September 28, 2020

MOTION to adopt the Planning Commission Meeting Minutes from September 28, 2020 as submitted.

MOTION: Flashman **SECONDED:** Moriarty

APPROVED: 5-0-1
ABSENT: Ojeda

E. PUBLIC HEARINGS:

1 **1. Design Review DR17-10, Tentative Parcel Map TSM17-01,**
2 **Development Agreement DA17-01: Four new single-family**
3 **residences, four-lot subdivision, and Development Agreement for**
4 **public improvements.**

5
6 **Request:** Consideration of a Design Review, Tentative Parcel Map, and
7 Development Agreement request to develop the vacant lot at
8 the end of Hazel Street. The project proposes the subdivision
9 of the lot into four new parcels, development of a single-family
10 residence on each new parcel, and execution of a Development
11 Agreement to make public improvements, including the
12 extension of Hazel Street. *(Continued from the Planning*
13 *Commission meeting on August 24, 2020)*

14
15 **Applicant:** Baljit Dhaliwal
16 1068 Turquoise Drive
17 Hercules, CA 94547

18
19 **Location:** Hazel Street (APN: 402-013-060 and -061)

20
21 **Planner:** David Hanham

22
23 Commissioner Murphy reported he would recuse himself from participating in the
24 discussion due to a potential conflict of interest. He asked the Assistant City Attorney
25 to provide clarification.

26
27 Assistant City Attorney Alex Mog explained that the item would be a recommendation
28 from the Planning Commission to the City Council. A Development Agreement (DA)
29 was part of the item which required approval via an ordinance and two public
30 hearings before the City Council for a first and second reading. As a result and due
31 to the timing of when those meeting dates may occur, which could occur after the
32 election of Commissioner Murphy to the City Council, Commissioner Murphy had
33 decided not to participate in the discussion.

34
35 Mr. Hanham provided a PowerPoint presentation of the staff report dated October
36 26, 2020, and recommended the Planning Commission adopt Resolution 2020-18
37 recommending approval to the City Council for Design Review (DR 17-10), Tentative
38 Parcel Map (TSM 17-01), and Development Agreement (DA 17-01). The DA was
39 currently in draft form and still under negotiation by the parties involved. The final DA
40 would be submitted to the City Council. If there were any significant changes to the
41 DA based on the language and/or terms of the DA, it would have to come back to the
42 Planning Commission prior to submittal to the City Council.

43
44 Responding to the Commission, Mr. Hanham and Mr. Mog clarified the following:
45

- An illustrative streetscape had not been provided although elevations had been provided to illustrate what the homes would look like, as included in the staff report.
- Curbs and gutters would be included as part of the project, although the project had no responsibility for any improvements on the other side of the street from the project site.
- There were some discrepancies between the colored renderings as compared to the submitted plans which should be clarified by the applicant.
- Acknowledged a request that all renderings for a project be provided for future Development Review Subcommittee meetings.
- The prior application proposed in 2007 (as detailed in the staff report) involved a three-lot subdivision which had been designed differently, denied by the Planning Commission at that time, and after review by the City Council had been remanded back to the Planning Commission to meet certain criteria.
- The minimum lot size in the Low Density Suburban Residential District in the City of Pinole was 5,000 square feet.
- The DA would be in good standing for up to ten years (a standard time period) given the development, different infrastructure improvements required and associated costs involved, unless brought back to the Planning Commission or the City Council for review. Staff acknowledged it could take up to ten years to build the project but understood the applicant was motivated to move forward.
- The applicant would be required to pay a storm drain fee but not pay for the construction of the storm drain and pump station which would be a Capital Improvement Project (CIP).
- Any one of the four homes could be identified as an affordable unit to be locked in at the time the City finalized its affordable agreement with the developer.
- Two live oak trees were to be preserved, although one located farther north on the property was to be removed due to root rot at the recommendation of the project arborist, with the other live oak to remain. Walnut trees located at the back of the site would be preserved.
- As a condition of approval and as part of the dedication of the Tentative Parcel Map for the project the private drive would be dedicated to the City with the City to have the easement and right-of-way (ROW).

- Pursuant to Condition of Approval 28 (A) of Exhibit A to the staff report, building construction activities shall occur only between 7:00 A.M. and 5:00 P.M., Monday through Friday on non-federal holidays. Interior construction work may occur between 9:00 A.M. and 6:00 P.M. on weekends if requested and approved by the City, as allowed under Chapter 15.02 of the Pinole Municipal Code (PMC).

PUBLIC HEARING OPENED

Jagjeet Dhaliwal, 1068 Turquoise Drive, Hercules, speaking on behalf of her parents, responded to concerns that the project could take up to ten years to complete. She emphasized the intent to complete the project as soon as possible consistent with City codes and requirements. She otherwise commented that staff had covered the project in the staff presentation and the applicant had no further comments.

The following speakers submitted written comments via email that were read into the record, to be filed with the agenda packet for this meeting: **Rafael Menis, Duane Jones, Subhana Ansari, Francesca Delgado-Jones and Don McKinney.**

REBUTTAL:

Ms. Dhaliwal clarified the issue of the extension of Hazel Street, a through street versus a private road, which issue had been raised early in the process and which was part of the development of the storm drain and the need for a through street to address firefighting safety concerns. The extension of Hazel Street had been a request of the City of Pinole and the Pinole Fire Department, not the Dhaliwal Family. Also, while the home sizes may appear small, the lots would be 6,000 square feet in size and the homes would not appear to be tract homes.

Ms. Dhaliwal explained that the Dhaliwal Family had initially requested one, two and then three homes, and over time in discussions with the City the request had ended up with four homes, necessary given the required infrastructure improvements.

PUBLIC HEARING CLOSED

Mr. Hanham clarified that the Hazel Street extension had been at the request of the City since Hazel Street was a through street in the General Plan and not a dead-end street. Due to the infrastructure needs and the pump station, and since Parcel No. 59 must go across the Dhaliwal property to reach the driveway for Lot No. 59, Parcel No. 60 travelled all the way across property on Parcel No. 59, and since the Dhaliwals could technically block that property since it lacked an easement to the property, those were other reasons for the City to request the Hazel Street extension. The Hazel Street extension was also considered a clean-up item for the City requiring the Dhaliwals to add additional lots to help pay for some of the improvements. He acknowledged the City had opposed the three-lot subdivision proposal since it had

1 included a driveway that came up and in, preventing the completion of all the storm
2 drain improvements in the road.

3
4 Mr. Hanham again detailed the history of the project which had led to the current
5 iteration and lot sizes, with more than enough area to accommodate the proposed
6 lots, and with the project meeting all City setback and development standards.

7
8 The Planning Commission discussed DR17-10, TSM17-01, and DA17-01 and
9 offered the following comments and/or direction to staff:

- 10
11 • Sympathized with the neighbors' concerns with the potential for an increase
12 in traffic and noise levels; clarified with staff regarding Condition 7 that the
13 applicant was not permitted to build an impervious driveway that covered 40
14 percent of the front yard; clarified that Condition 10 reflected the City's recent
15 approval of an ordinance which matched the State Water Efficient Landscape
16 Ordinance requirements; recommended the last sentence of Condition 11
17 be revised since, as worded, it could make it too easy to lose trees on the
18 property and recommended verbiage similar to conditions imposed for the
19 Dr. Lee Optometry project; and suggested the proposed lot sizes would be
20 sufficient. (Moriarty)

21
22 The Planning Commission discussed Condition 11 related to tree protection under
23 the City's Tree Ordinance and compared the proposed project to the Dr. Lee
24 Optometry project at length. By consensus, the Planning Commission revised the
25 last sentence of Condition 11, to read:

26
27 *Any revisions to tree protection and tree removal details described in the*
28 *arborist reports shall be submitted to the Planning Manager for review prior*
29 *to work affecting trees in the field consistent with Pinole Municipal Code*
30 *Chapter 17.96.*

31
32 Chair Kurrent and Commissioner Flashman briefed the Planning Commission on
33 their discussions during the Development Review Subcommittee meeting which
34 included concerns with a left-side half window on Lot 2 that did not appear to be
35 symmetrical, the darkness of the proposed blue color for Lots 1 and 2 that had been
36 found to be out of sync with the other homes, and a desire for renderings of the
37 homes next to one another that had not been provided.

- 38
39 • The intent for the left-side window for Lot 2 was confirmed by the applicant,
40 with the intent to build a canopy to create a shadow and overhang on top of
41 the window which would be a full window, and while not shown on the at-street
42 elevation that would be corrected on the plans. Recognition that the proposed
43 lots would be smaller in size, and while some lots in the area would be
44 comparable in size the community was concerned with the size of the homes
45 given that the project would be a change in the community and there was a

1 need for green space and parks. Expressed concern the proposed
2 development would effectively remove what had been considered green
3 space in the community. (Flashman)
4

- 5 • Found the size of the lots to be consistent and comparable with other lot sizes
6 in the area; recognized the concerns with the size of the homes but also
7 recognized the need to provide housing; and while the lots may be smaller in
8 size than others on the street suggested they would be sufficient in size.
9 (Kurrent)
10
- 11 • Clarified with staff that Lots 60 and 61 were owned by the applicant and the
12 property had been used as green space by the community but it was private
13 property that could be fenced to prevent trespassing. If the project was
14 ultimately not approved by the City Council encouraged the City Council to
15 consider purchasing the property to be used as a park. Would have opposed
16 the project if considered for the north side of Hazel Street given the lots on the
17 north side were 10,000 square feet in size or more while the homes on the
18 south side of Hazel Street were between 5,500 and 8,000 square feet in size.
19 Did not support the building colors, such as the dark blue, and supported
20 another alternative. If the project was not approved by the City Council there
21 was concern the area could be impacted by flooding if the storm drain
22 infrastructure was not repaired and the City could be held liable. The project
23 offered an opportunity for the applicant to develop the land, the City to address
24 long-standing issues, and while the community concerns with crime and traffic
25 were acknowledged they had not been supported by data from the Pinole
26 Police Department. Suggested the applicant had addressed the City's
27 requirements. (Wong)
28

29 On the question of whether the City would be responsible for the storm drain
30 improvements if the City Council ultimately denied the project, Mr. Hanham explained
31 that would have to be prioritized by the City Council in the CIP with funds to be set
32 aside. He reiterated the project lent itself for that work to be completed faster.
33

- 34 • The Pinole Municipal Code (PMC) required each of the lots to have one
35 enclosed parking space and one non-enclosed parking space on the property,
36 and the units met that requirement. Opening the north side of the new Hazel
37 Street would provide additional parking for the neighborhood and there should
38 be no parking concern, and the reasons for extending Hazel Street had been
39 adequately addressed by staff. (Kurrent)
40

41 Mr. Hanham confirmed that the project would have to be wired for solar panels but
42 the installation of solar panels was not required. At this time, he advised an additional
43 public comment had been received after the close of the public hearing and it was at
44 the discretion of the Chair whether to re-open the public hearing.
45

1 Chair Kurrent re-opened the public hearing at this time.

2
3 Mr. Hanham read into the record additional public comment received via e-mail after
4 the close of the public hearing from **Subhana Ansari** to be filed with the agenda
5 packet for this meeting
6

7 In response to the most recent public comment, Mr. Hanham and Mr. Mog confirmed
8 that there had been no mention of endangered species in the environmental
9 documents.

10
11 Ms. Dhaliwal reiterated the background of the Hazel Street extension; the full window
12 design for Lot 2 had been clarified and the plans would be corrected; the dark blue
13 color for two of the lots had come from a recommendation made by a previous
14 committee, although the color could be changed back to be more muted; and the
15 property had been offered to the City as green space in the past but the City had not
16 accepted that offer. The property owners had owned the property for more than a
17 decade and had experienced illegal dumping, illegal trespassing, and an open storm
18 drain. The desire was to develop the property to clean it up and make it safer for the
19 surrounding community.
20

21 Chair Kurrent re-closed the public hearing.

22
23 **MOTION** by a Roll Call Vote to adopt Resolution 20-18, a Resolution of the City of
24 Pinole Planning Commission Recommending Approval to the City of Pinole City
25 Council for a Tentative Parcel Map, Comprehensive Design Review and a
26 Development Agreement Located at the South Side of the Western Terminus of
27 Hazel Avenue (APN 402-013-060 and 061), subject to Exhibit A: Planning
28 Commission Resolution 20-18, Conditions of Approval, and subject to a
29 modification to Condition 11, as follows:
30

31 Revise the last sentence to read:

32
33 *Any revisions to tree protection and tree removal details described in the*
34 *arborist reports shall be submitted to the Planning Manager for review prior*
35 *to work affecting trees in the field consistent with Pinole Municipal Code*
36 *Chapter 17.96.*
37

38 **MOTION: Wong**

SECONDED: Moriarty

APPROVED: 4-0-2

RECUSED: Murphy

ABSENT: Ojeda

39
40
41
42 Chair Kurrent identified the 10-day appeal period of a decision of the Planning
43 Commission in writing to the City Clerk.

44
45 Commissioner Murphy returned to the meeting via Zoom.
46

1 **2. Design Review DR 19-14, Conditional Use Permit CUP 19-09: Artisanal**
2 **Garden: Outdoor Artisan and Vendor Space**

3
4 **Request:** Consideration of a Design Review and Conditional Use Permit
5 request to make site improvements for an outdoor seating
6 space with fencing, a small structure, and a trash enclosure
7 redesign and to provide for hosting of artisan displays, events,
8 music, and food vendors, at 2337 San Pablo Avenue in the
9 CMU District *(Continued from the Planning Commission*
10 *meeting on February 24, 2020)*

11
12 **Applicant:** Raquel Contreras
13 714 Walker Avenue
14 Oakland, CA 94610

15
16 **Location:** 2337 San Pablo Avenue (APN: 401-162-002)

17
18 **Planner:** Justin Shiu

19
20 Commissioner Flashman reported she would recuse herself from the discussion of
21 the item due to a potential conflict of interest.

22
23 Contract Planner Justin Shiu provided a Power Point presentation of the October 26,
24 2020 staff report, and noted that after the applicant's materials had been reviewed
25 and prepared, the applicant had requested a revision to Condition 15, Live Music
26 Schedule, as shown in Exhibit A to Resolution 20-01. The requested revision was to
27 expand the approval of music on the site from 20 days per year to 30 days per year,
28 with the Sunday hours to be revised from 12:00 P.M. to 4:00 P.M, to *12:00 P.M. to*
29 *8:00 P.M.* The Planning Commission was asked to consider the request.

30
31 Mr. Shiu recommended the Planning Commission adopt Resolution 20-01, subject
32 to the conditions of approval contained in Exhibit A, approving Design Review 19-
33 14 and Conditional Use Permit 19-09, and a Similar Use Determination for
34 development of an outdoor artisan and vendor space at 2337 San Pablo Avenue.

35
36 Responding to the Commission Mr. Shiu and Mr. Hanham clarified:

- 37
38
 - 39 • Hours of operation for special events had not been specified in the conditions
40 of approval, and while the applicant had indicated themes throughout the year
41 no specific hours of operation had been identified. Special events not listed
42 in the schedule would have to be approved by the Planning Manager pursuant
43 to Condition 5 of Exhibit A to Resolution 20-01.
 - 44 • The conditions of approval submitted to the Planning Commission initially in
45 February 2020 when the project had first been considered included a

1 condition limiting the use of amplified music, and Condition 16 had been a
2 carryover condition. The current proposal included a request for amplified
3 music which required a modification to the conditions of approval.
4

- 5 • The Old Town Design Guidelines had not been considered for the subject
6 project. Staff had relied on the Three Corridors Specific Plan when reviewing
7 the design.
8
- 9 • Bicycle racks had not been included on the conceptual site plan but would be
10 required as part of the building plans pursuant to Condition 30. A minimum of
11 two bicycle racks would be required for a commercial property but could be
12 discussed further by the Planning Commission.
13
- 14 • The applicant would be required to identify the location for take-out waste
15 disposal and recycling, and to plan how much waste could be removed from
16 the site and the volume that could be recycled.
17
- 18 • Proposed trees on-site and the types of vendors to be clarified by the
19 applicant.
20
- 21 • There was an existing Porta Potti on the site and additional facilities could be
22 made available, if needed, to be open only during operations when the site
23 was in use.
24
- 25 • The Pinole Noise Ordinance did not specify a decibel level and was subjective
26 as related to noise disturbances and what constituted a nuisance. Any issues
27 with amplified music would be addressed via complaints during an event.
28

29 PUBLIC HEARING OPENED 30

31 Raquel Contreras, 714 Walker Avenue, Oakland, advised that a representative from
32 the Pacific Coast Farmers' Market Association and a representative from Kitchen at
33 812 were also present via Zoom to respond to questions. She explained that the
34 amplified music could be controlled, she had initially thought of using only acoustical
35 music, but some musicians had amplified music and she had seen similar uses at
36 other Farmers' Markets. She preferred that amplified music be allowed until 8:00
37 P.M in the hopes she could create an ambience for the community. Due to COVID-
38 19, she also planned to have take-out only in the next few months in order to get a
39 feel for the business prior to bringing in tables and chairs.
40

41 Ms. Contreras also reported she had been in contact with the Contra Costa County
42 Environmental Health Department, which had suggested an agreement with an
43 establishment such as the gasoline station across the street or someone within 200
44 feet to allow a mobile vendor to use their restroom facilities as opposed to using Porta
45 Potties, which would entail an agreement in writing. She had been in contact with

1 her neighbors regarding that issue, and had also been in discussions with the
2 Farmers' Market to coordinate the Porta Potties and the use of cleaning services, as
3 needed, at least twice a week.
4

5 Ms. Contreras explained that she had planned to use palm trees in colorful pots, or
6 Madrone, strawberry, or species that were native and drought tolerant. The intent
7 was to have the trees in large pots that could be easily moved and arranged as
8 needed. In terms of special events, she did not foresee large special events at this
9 time due to COVID-19 restrictions, the size of the City of Pinole, and due to the
10 competition from other cities. Her goal was to make the use effective in the
11 neighborhood to bring people in, but be community based through word of mouth,
12 and be self-sustaining. A wash station would be made available to facilitate the
13 handling of food items.
14

15 Waleska Ordonez, Kitchen at 812, a non-profit business incubator located in Pinole
16 Shores, worked with entrepreneurs who wanted to formally operate a food business,
17 and assisted those businesses in obtaining the required permits to operate. She
18 explained that food vendors during a festival or Farmers' Market required a hand
19 washing station inside the facility independent of the outside Porta Potti.
20

21 Ben Palazzolo, Pacific Coast Farmers' Market Association, confirmed that all food
22 vendors for on-site Farmers' Markets had the same requirement with enclosed
23 certified kitchens and having a place for the staff to wash their hands with soap and
24 water, and the bleaching of any kitchen utensils pursuant to the requirements of the
25 Contra Costa Environmental Health Department.
26

27 Ms. Ordonez added that if food trucks were allowed on-site, the food trucks would
28 have to follow the Contra Costa County Environmental Health Department
29 Guidelines and have hand sanitizing stations.
30

31 Ms. Contreras advised that only certified mobile vendors from the Contra Costa
32 Environmental Health Department would be permitted. She understood that
33 temporary food vendors were not allowed in the City of Pinole at this time.
34

35 Responding to the Commission, Ms. Contreras and Ms. Ordonez clarified that the
36 business plan was close to a business called Off the Grid, a non-profit organization
37 that found locations for food vendors such as food trucks. The closest business was
38 located in the City of El Cerrito, which utilized a closed short street in that city to allow
39 the activity and to allow walking around the downtown. There was a Beer Garden in
40 the City of Berkeley but there were no plans to sell alcohol at this time.
41

42 Ms. Contreras acknowledged a recommendation to increase the number of bicycle
43 racks, and the concerns with the modern appearance of the use adjacent to the bank
44 building. A small office/shed at the back of the site would provide a work station for
45 her business. She had tried to tie the design of the shed in with the colors and slats
46 of historic Victorian homes in Pinole and planned to bring in old bricks from a local

1 building to be incorporated into the design of her business. She was open to other
2 ideas to maintain the historic presence of Pinole.

3
4 Ms. Contreras clarified that there would be palm trees at the entrance to the site and
5 she would be willing to plant a street tree to provide shade. The intent was to plant
6 drought resistant plant material. She would also like to incorporate a light show
7 during Christmas such as dancing and singing lights, as an example, something that
8 would garner interest, and asked whether that would be permitted.

9
10 Mr. Hanham understood there were no other palm trees in the downtown but staff
11 could work with the applicant on the landscaping. In terms of lighting, depending on
12 how the lights would be displayed would have to be reviewed by staff.

13
14 Ms. Contreras asked whether or not she would be permitted to have a mobile vendor
15 with a truck during the construction period given it may take some time for
16 construction to be completed. She suggested the shed could take more time since
17 she was working with the City regarding an easement.

18
19 Mr. Hanham advised that staff would like to see construction almost completed prior
20 to any mobile vendors brought in. He had reviewed the City code given the requests
21 for mobile vendors in Pinole and could find no language that allowed or disallowed
22 mobile vendors. Based on staff's perspective, the construction should be almost
23 completed prior to bringing a vendor on-site since in the past there had been issues
24 with construction taking longer to be completed because of the needs of a vendor.
25 He would also like to see the tables and chairs installed prior to the siting of a mobile
26 vendor.

27
28 Ms. Contreras reiterated she planned to have take-out only in the next few months,
29 and to get a feel of the business prior to bringing in tables and chairs but Mr. Hanham
30 again advised of the staff opinion that no mobile vendors be allowed on-site prior to
31 construction being near completion.

32
33 Mr. Hanham recognized that it would be up to the Planning Commission to decide,
34 but if allowed, he would recommend a stipulation be imposed that a certain amount
35 of work must be completed prior to bringing a mobile vendor on-site.

36
37 Ms. Contreras also clarified there were some light poles that were part of the existing
38 easement which she planned to retain.

39
40 Mr. Shiu read into the record Condition 18 as follows:

41
42 *LIGHTING – The owner shall ensure that lighting is available on site during*
43 *late-afternoon to evening hours and the entire lot has adequate lighting.*
44 *Lighting equipment shall include shields to project light downward and to*
45 *prevent light and glare impacts on adjacent properties and the right-of-way.*
46 *The proposed lighting set-up locations, including portable lighting*

1 *equipment, shall be identified in the final plan set for review by the Police*
2 *Department*
3

4 As to the signage proposed, Ms. Contreras clarified the top sign would be a bridge
5 sign with letters above reading *Casa Amada* and a presentation sign proposed to
6 give directions and show the guest of the day and the event being hosted, to consist
7 of an announcement identifying who was performing in the garden on that date. She
8 was thinking of using magnetic letters with a vinyl inset and with illumination in the
9 vinyl sleeve.

10
11 Mr. Shiu read into the record comments from **Ivette Rico** and **Rafael Menis**. (As
12 reflected in the February 24, 2020 Planning Commission meeting minutes).
13

14 Mr. Palazzolo explained that the applicant had reached out to the Pacific Coast
15 Farmers' Market Association about the application, and while they had some
16 concerns he was confident those concerns could be resolved. The Farmers' Market
17 operated from 9:00 A.M. to 1:00 P.M. every Saturday, vendors arrived two hours
18 before and left an hour after closure for clean-up. As long as no one was driving into
19 the adjacent parcel during the hours of the Farmers' Market there should be no issue.
20 The Farmers' Market operated many markets throughout the Bay Area, and
21 oftentimes other uses such as Off the Grid operated in the same market spaces but
22 at different times, which had helped the success of the Farmers' Market. Any
23 activation, cultivation of local ownership, and participation worked out well for the
24 Farmers' Market. While traffic and crowd concerns were relevant, the plot was small
25 and he did not see a lot of people would gather. He saw the application an added
26 feature to the space. He suggested the business would not create a significant
27 impact beyond what the Farmers' Market did.

28
29 PUBLIC HEARING CLOSED
30

31 The Planning Commission discussed DR 19-14 and CUP 19-09 and offered the
32 following comments and/or direction to staff:
33

- 34 • Supported the project and the opportunities it would provide. (Wong)
- 35
36 • Supported the project but recommended the conditions related to Special
37 Events be modified to cap the time for such events or allow the Planning
38 Division to make that call. Would like more discussion on whether Condition
39 15 should be modified subject to the applicant's requested modifications;
40 referencing Condition 27, encouraged the applicant to use native plant
41 material as much as possible; referencing Condition 30, recommended the
42 condition be revised to provide parking for at least five bicycles; encouraged
43 the applicant to consider the lettering style from the Pinole Bank Building to
44 tie the uses together and consider the color scheme of the adjacent building
45 to ensure compatibility with the historical nature of Old Town Pinole. (Moriarty)

- While intrigued by the idea of the project there was uncertainty as to how the health issues, amplified music, sanitation, and special events would work. Would like to see an additional condition to require review of the conditions of approval after a year of operation to determine the use was operating appropriately and whether or not any conditions must be modified. Recommended a new Condition 43 to read: *These conditions of approval shall be brought back for review before the Planning Commission in one year to review the adequacy of the Conditional Use Permit and possible modification.* Agreed that Condition 30 be revised to provide more bicycle parking which could be reviewed in a year to ensure adequacy; and recommended formation of a subcommittee to work with the applicant on the design of the lettering for signage. (Kurrent)

Mr. Hanham suggested as an option an additional condition could be added, to read:

In one year this item will be brought back to the Planning Commission to re-establish times and number of events.

Mr. Hanham added that by law all vendors were required to be certified prior to events. He recommended the applicant be allowed to have a year to make this happen with only four special events this year, with the new condition to allow staff the opportunity to reassess based on how the business had operated during that time. He recognized this would be a new use in Pinole and due to the ever changing events, staff would defer to the applicant to ensure they were doing the right thing, with any issues to be complaint driven, although spot checking could be done throughout the year via code enforcement.

By consensus, the Planning Commission supported the additional condition given the new type of use and to offer an opportunity for the applicant and the City to work collaboratively.

Ms. Contreras expressed concern with additional conditions since the business must be self-sustaining and attractive to the vendors.

Mr. Hanham understood the concerns but clarified the intent to allow the business to operate in the first year subject to the conditions of approval with a review after the first year. It was not an attempt to impose additional fees on the applicant other than the payment of the annual business licenses fees. He also clarified the City's definition of a "special event" was different than the County Environmental Health Department's, which had defined special events as a "gathering".

- Supported the project but asked that it be consistent with the rest of the structures in Old Town Pinole in terms of events and the appearance of the shed structure itself. (Murphy)

1
2 By consensus, the Planning Commission discussed a number of the conditions and
3 offered the following modifications:

- 4
5 • Condition 15 revised to read:

6
7 *LIVE MUSIC SCHEDULE – The site may have live music no more than 30*
8 *days per year, with no more than three days per month, and only within the*
9 *following timeframes: Fridays – 5:00 P.M. to 8:00 P.M.; Saturdays – 5:00*
10 *P.M. to 9:00 P.M.; Sundays – 12:00 P.M. to 8:00 P.M.*

11
12 As to the request for amplified music, Chair Kurrent preferred the applicant work with
13 the Planning Manager as to what was acceptable.

14
15 Mr. Hanham expressed the willingness to work with the applicant to create
16 acceptable and reasonable language for Condition 16, with the Planning
17 Commission to be apprised of the discussions.

- 18
19 • Condition 16 to be retained at this time with the applicant to work with staff on
20 a possible modification.
21
22 • Condition 27 was not modified but the applicant was encouraged to use native
23 plant material as much as possible.
24
25 • Condition 30 revised to read:

26
27 *BICYCLE PARKING – The applicant shall identify areas to accommodate*
28 *parking of at least five bicycles and clearly identify these locations with*
29 *markers or signs on site.*

30
31 In response to concerns with the shed's appearance, Ms. Contreras emphasized the
32 temporary nature of the shed. She was more than happy to work with the City but if
33 she were to be confined to the appearance of the adjacent building or the buildings
34 across the street, would be a concern given the numerous styles in the area. She
35 asked that the conditions not be so restrictive making the garden more historical and
36 less a garden. She suggested the historical elements could be realized through
37 letters or pottery. She also opposed the formation of a subcommittee which could be
38 difficult for the applicant.

39
40 Planning Commissioners clarified the discussion was about the frontage along San
41 Pablo Avenue, and Ms. Contreras suggested planting different material or using
42 pebbles or other design elements to address that concern.

43
44 There was no consensus for a subcommittee to be formed. Concerns were
45 expressed with the frontage along San Pablo Avenue given there had been some

1 issues in the past with inconsistencies of design in Old Town Pinole. There was a
2 desire from some Planning Commissioners for the project design to use some of the
3 design aesthetics from the Pinole Bank Building.
4

5 Chair Kurrent reported that Commissioner Wong was no longer present via Zoom.
6 Commissioner Wong had messaged the Chair via telephone reporting that he
7 needed to leave the Zoom meeting due to an emergency, and while he supported
8 the project he could not be present to vote.
9

10 Mr. Mog advised that Commissioner Wong needed to rejoin the meeting for there to
11 be a Planning Commission quorum. Absent a quorum the meeting must be
12 adjourned and the application continued to the next meeting.
13

14 On the discussion, Mr. Hanham reported Commissioner Ojeda was no longer a
15 Planning Commissioner, new Planning Commissioners had yet to be appointed by
16 the City Council, but staff anticipated new Planning Commissioners would be
17 appointed in time for the December 2020 or January 2021 meetings.
18

19 Given the inability to reach Commissioner Wong to rejoin the meeting, and due to
20 the lack of a quorum, Mr. Mog confirmed the Planning Commission meeting would
21 have to be adjourned to a date certain when there would be a quorum. A Notice of
22 Adjournment with the new date of the hearing would be posted on the City's website.
23

24 By consensus, members of the Planning Commission currently present determined
25 to continue Design Review DR 19-14 and Conditional Use Permit CUP 19-09 for the
26 Artisanal Garden to an adjourned meeting of the Planning Commission scheduled
27 for Tuesday, October 27, 2020 at 8:00 P.M. The remaining agenda items would be
28 continued to the next meeting of the Planning Commission scheduled for November
29 30, 2020.
30

31 Chair Kurrent apologized to the applicant for the inability to finalize the application at
32 this time.
33

34 **F. OLD BUSINESS:** None

35
36 **G. NEW BUSINESS:**

37
38 **1. General Plan/Specific Plan Information Session: Growth Management**
39

40 The item was continued to the Planning Commission meeting on November 30,
41 2020.
42

43 **H. CITY PLANNER'S / COMMISSIONERS' REPORT**

44
45 **1. Verbal Updates of Projects**
46

1 The item was continued to the Planning Commission meeting on November 30,
2 2020.

3
4 **I. COMMUNICATIONS:** None

5
6 **J. NEXT MEETING**

7
8 The next meeting of the Planning Commission to be a Regular Meeting to be held
9 on Monday, November 30, 2020 at 7:00 P.M.

10
11 **K. ADJOURNMENT:** *Meeting adjourned at 11:06 P.M due to the lack of a quorum*
12 *and to an Adjourned Meeting of the Planning Commission scheduled for Tuesday,*
13 *October 27, 2020 at 8:00 P.M.*

14
15 Transcribed by:

16
17
18 Sherri D. Lewis
19 Transcriber

**MINUTES OF THE REGULAR
PINOLE PLANNING COMMISSION**

February 24, 2020

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

B. PLEDGE OF ALLEGIANCE AND ROLL CALL

Commissioners Present: Kurrent, Moriarty, Murphy, Ojeda, Wong, Chair Brooks

Commissioners Absent: Flashman

Staff Present: David Hanham, Planning Manager
Justin Shiu, Contract Planner
Alex Mog, Assistant City Attorney

C. CITIZENS TO BE HEARD

There were no citizens to be heard.

D. CONSENT CALENDAR

1. Planning Commission Meeting Minutes from January 27, 2020

MOTION to adopt the Planning Commission Meeting Minutes from January 27, 2020 as submitted.

MOTION: Kurrent

SECONDED: Moriarty

APPROVED: 6-0-1

Absent: Flashman

E. PUBLIC HEARINGS:

1. **Design Review DR 19-14, Conditional Use Permit CUP 19-06: Artisanal Garden - Outdoor Artisan and Vendor Space**

Request: Consideration of a Design Review and Conditional Use Permit (CUP) request to make site improvements for an outdoor seating space and to provide for hosting of artisan displays and food vendors at 2337 San Pablo Avenue in the CMU District.

Applicant: Raquel Contreras

714 Walker Avenue
Oakland, CA 94610

Location: 2337 San Pablo Avenue (APN: 401-162-002)

Planner: Justin Shiu

Contract Planner Justin Shiu reported for the record that the applicant was not yet present. He provided a PowerPoint presentation of the request for Design Review and a CUP for Artisanal Garden: Outdoor Artisan and Vendor Space. He recommended the Planning Commission adopt Resolution 20-01, approving Design Review 19-14 and CUP 19-09, and make the findings for a Similar Use Determination as provided in the February 24, 2020 staff report, subject to the Draft Conditions of Approval contained in Attachment A for the development of an outdoor artisan and vendor space at 2337 San Pablo Avenue.

Responding to the Commission, Mr. Shiu explained that the food vendor booths had not been specified by the applicant but were not intended to be permanent structures; the proposed fencing included different materials and the conditions of approval required that the applicant install the fencing as shown in the submitted plans; the property was privately owned with an easement on the rear of the property where the parking was located and where there could be potential conflicts with parking for the Farmer's Market; the applicant was the owner of the property and had proposed a Porta Potty restroom facility for the use, and while the Pinole Municipal Code (PMC) did not identify specific requirements for restroom facilities for such a use, staff had identified specific washing stations that could be expanded in the conditions of approval. Public restroom facilities were located at Fernandez Park and visitors could be directed to other restroom facilities in the area or additional Porta Potties could be required.

Planning Manager David Hanham explained that oftentimes Porta Potties came with washing stations and the applicant could be required to provide a hand washing station.

Mr. Shiu also clarified the applicant had verbally expressed that the plans were interim layout plans with a two to three year-timeframe for the use. As to the proposed time schedule, the months of January and February had not been included, and if approved, the use would only occur during the time schedule that had been provided as shown in the staff report.

Mr. Shiu clarified that the only form of signage would be the address. The applicant had not mentioned any desire for additional signage. In response to concerns with parking, the conditions of approval could be modified to require the applicant to identify nearby parking lots in the area while the Farmer's Market was also in session, which could be identified on the applicant's marketing materials.

PUBLIC HEARING OPENED

1
2 IVETTE RICO, Pinole, supported anything that brought people to Old Town Pinole,
3 although she had concerns with the proposed outdoor venue whether the vendor
4 structures would be permanent, whether the vendors would pay a fee, and if food
5 vendors whether they would compete with existing businesses. Also, parking and
6 traffic would conflict with the year around Farmer's Market and the existing Porta
7 Potties were for the use of the Farmer's Market. She asked whether there would be
8 a focus on Pinole artisans, how trash and waste from the venue would be addressed,
9 whether nearby restaurants could be impacted by venue patrons wanting to use their
10 restroom facilities, and suggested many questions remained unanswered pending
11 the arrival of the applicant.
12

13 RAFAEL MENIS, Pinole, shared the concerns of the previous speaker, particularly
14 potential conflicts given the proximity and schedule of the Farmer's Market, although
15 he acknowledged the applicant had received a positive letter from the Farmer's
16 Market Association. He sought more information on the transitional nature of the site
17 and given the absence of the applicant, he urged the Planning Commission to
18 continue the item. Without some clarification of the concerns, he suggested the use
19 could be in conflict with Land Use and Economic Development Goal LU 3.3 given the
20 conflicts with the Farmer's Market due to parking, the services offered, and the
21 potential overall pedestrian flow issues in terms of impacts to the ingress and egress
22 to the Farmer's Market.
23

24 PUBLIC HEARING CLOSED

25
26 When asked, Mr. Shiu stated he had expected the applicant to be present.
27

28 The Planning Commission discussed DR 19-14 and CUP 19-09 and offered the
29 following comments and/or direction to staff:
30

- 31 • Supported the idea of bringing vitality and something interesting to Old Town
32 Pinole consistent with the desires of economic development in Old Town;
33 concerned the applicant appeared to have had minimal interaction with the
34 Farmer's Market Association, and questioned whether the Association was
35 fully aware of the scope of the proposed use, which should be addressed in
36 the conditions of approval. Supported the project conceptually but supported
37 a continuance until such time as the applicant could be present to respond to
38 the questions raised. (Moriarty)
39
- 40 • Sought more information from the applicant on the proposal for an interim use,
41 clarification of the proposed Porta Potties and the cost of a permanent
42 restroom with hand wash basin, and a continuance of the application.
43 (Kurrent)
44
- 45 • Identified personal experience patronizing similar venues both in the United

1 States and in Australia and how those venues had addressed some of the
2 same concerns that had been expressed; agreed the applicant should be
3 present to identify the vision/concept; and approval should include a condition
4 to ensure the site was maintained and cleaned after the completion of the
5 event, including removal of the Porta Potties. If any landscaping was
6 proposed, questioned how it would be maintained and would like greater
7 details and clarity on the parking. Questioned whether the application should
8 be considered as an interim event application or a business application,
9 suggested the use was more a business event, and agreed there should be
10 greater coordination with the Farmer's Market. Supported a continuance of
11 the application. (Wong)
12

- 13 • Supported the idea in concept as part of a future potential solution to beautify
14 the subject property; opposed restrictions on the parking; was not convinced
15 such a venue would attract hundreds of people, but if successful suggested
16 people would find a way to park but could also walk and bicycle to the venue;
17 and supported a continuance as discussed. (Ojeda)
18
- 19 • Supported the idea in concept and was confident the venue would work well
20 with the Farmer's Market subject to coordination, and agreed the applicant
21 needed to be present to respond to questions related to sanitation and
22 maintenance of the site itself. (Brooks)
23

24 Mr. Hanham summarized the consensus of the Planning Commission to continue the
25 item to allow the applicant to be present to respond to the questions specifically
26 related to: parking, sanitation/Porta-Potty, business plan/vision, interaction with the
27 Farmer's Market, and proposed signage.
28

29 **MOTION** to continue Design Review DR 19-14, Conditional Use Permit 19-09:
30 Artisanal Garden - outdoor artisan and vendor space, to a date certain of March 23,
31 2020.
32

33 **MOTION: Wong**

SECONDED: Kurrent

APPROVED: 6-0-1

Absent: Flashman

34
35
36 **F. OLD BUSINESS:** None

37
38 **G. NEW BUSINESS:**

39
40 **1. General Plan/Specific Plan Information Session: Land Use Element**

41
42 Planning Manager Hanham explained that the item was a continuation of the January
43 27, 2020 Planning Commission discussion of the General Plan.
44

45 Mr. Hanham provided an overview of the Land Use and Economic Development

1 Elements of the General Plan and highlighted the associated policies, as outlined in
2 the February 24, 2020 staff report.
3

4 In response to Commissioner Moriarty, Mr. Hanham clarified how the Strategic Plan
5 for 2020 to 2025, which had recently been presented to the City Council, may impact
6 the Land Use and Economic Development Elements. He also clarified that the City
7 Council had the authority to amend the General Plan and offered some examples.
8 The Strategic Plan also called for updates to the General Plan and Three Corridors
9 Specific Plan. The Final Draft of the Old Town Subarea Parking Study and
10 Pedestrian Plan was currently under review by staff to be presented to the Planning
11 Commission in the next month or two prior to being submitted to the City Council.
12

13 The status of Measure J on the March 2020 ballot was also noted and would be the
14 subject of further discussions at West Contra Costa Transportation Advisory
15 Committee (WCCTAC) meetings. The San Pablo Bridge had been identified as
16 WCCTAC's main project at this time.
17

18 The Planning Commission discussed with staff the differences and details between
19 the current Measure J, which had a sunset date of 2036 and where the half cent
20 sales tax for that measure would continue to be collected, and the Measure J on the
21 March 2020 ballot proposed by the Contra Costa Transportation Authority (CCTA).
22

23 In response to Commissioner Moriarty who pointed out the numbers on Page 14 of
24 the Land Use Element were old, had been based on 2007 and 2009 figures, and
25 needed to be updated, Mr. Hanham referenced the City's Regional Housing Needs
26 Allocation (RHNA) from the Association of Bay Area Governments (ABAG), with new
27 numbers to be released shortly. He described the General Plan as more projection
28 oriented, and clarified that the 2020 Census Survey would provide additional data
29 allowing the numbers in the Housing Element to be updated.
30

31 Mr. Hanham clarified in response to Commissioner Murphy that any references to
32 the Redevelopment Agency in the documents referred to the City Council, and
33 although the City had a Successor Agency pursuant to Redevelopment Law, the City
34 of Pinole was no longer allowed to accrue debt. The City was in the process of selling
35 properties it had through the Redevelopment Agency. The state was also realizing
36 that tax increment funding was an important tool for cities to complete infrastructure
37 projects and the state was using some tax increment funding laws to assist cities with
38 what redevelopment had done in the past.
39

40 In addition, Mr. Hanham explained that references to the Parks and Improvements
41 Plan in the Land Use Element was a plan yet to be created and implemented, and
42 the Waterfront Plan did not yet exist but had been identified as a goal in the Land
43 Use Element.
44

45
46 Mr. Hanham explained that references to historical resources and sites, particularly

1 Native American sites, may have been discussed in the Cultural Element of the
2 General Plan. He also highlighted the Mills Act, which required definition as to what
3 was historic and whether state or federally listed since there were separate design
4 guidelines and restrictions for any improvements.
5

6 Commissioner Kurrent commented that the State Department of Housing and
7 Community Development (HCD) looked at affordable housing and it was understood
8 that high density development of 35 units an acre or more qualified as Low Income
9 housing. He noted that the General Plan included a background report that provided
10 the history of the City of Pinole, a worthwhile document to read offering insights into
11 what the city wanted to be.
12

13 Commissioner Ojeda thanked Commissioner Murphy for suggesting a review of the
14 General Plan. He liked the discussions of the City's history and referenced the Point
15 Pinole Regional Shoreline which had a lot of plaques detailing the history of Pinole.
16

17 **H. CITY PLANNER'S / COMMISSIONERS' REPORT**

18 **1. Verbal Updates of Projects**

19
20
21 Mr. Hanham reported the Bike and Pedestrian Plan was in the final stage of review
22 to be presented to the Planning Commission at its next meeting; the environmental
23 review for Pinole Square was being finalized to be distributed in the next week for the
24 30-day state clearinghouse review period to be presented to the Planning
25 Commission in April/May; a number of building permits for remodels and Accessory
26 Dwelling Units (ADUs) had been received; and applications had been received for a
27 small parcel map, and a small subdivision map with design review on Hazel Street
28 anticipated to be presented to the Planning Commission at a future meeting. He
29 reported that the April/May Planning Commission meetings would be very busy.
30

31 Commissioner Moriarty inquired of the status of the application for Making Waves,
32 and Mr. Hanham advised the applicant had formally withdrawn the application and
33 the project had been closed out. Making Waves continued to be the owner of the
34 property. As to the status of the condition of the property, it could be reviewed by
35 code enforcement.
36

37 Mr. Hanham reported that staff had made the arrangements for those
38 Commissioners planning to attend the March 4-6 Planner's Academy, with
39 information to be forwarded to each Commissioner.
40

41 Commissioner Moriarty reported she and Commissioner Murphy were members of
42 the Beautification Ad Hoc Committee and the first meeting had been scheduled for
43 Wednesday, February 26.
44

45
46 Mr. Hanham also reported that staff was in the process of reviewing the PMC and

1 considering amendments with assistance from the City Attorney's Office, to be
2 presented to the Planning Commission later in the year.

3
4 Commissioner Murphy reported he had been invited to the Pinole Senior Center,
5 described it as a jewel for the City, and identified some of the various activities
6 provided. He brought to staff's attention the limited parking accommodations for that
7 facility.

8
9 M. Hanham suggested the Parking and Pedestrian Plan could address some of those
10 concerns in that it had identified some of the needed improvements in the community.

11
12 Commissioner Murphy also spoke to his background as a digital marketing strategist
13 and announced the creation of an online campaign known as #visitpinole. He
14 encouraged those interested to use the hashtag to provide photos of activities, hiking
15 or walking around the city, which he suggested was a fun way to build a community.

16
17 Commissioner Kurrent understood that three Commissioners would have terms
18 expiring and urged Commissioners to either reapply or staff to consider a recruitment
19 process. He referenced a Facebook Group called Walk and Talk Pinole, with a walk
20 scheduled for Saturday, February 29 at 9:15 A.M. at the Mariotti Mansion at 100
21 Tennent Avenue.

22
23 Commissioner Wong commented on the new East Bay Regional Park District
24 (EBRPD) Trail Bridge which the community had been enjoying.

25
26 I. **COMMUNICATIONS:** None

27
28 J. **NEXT MEETING**

29
30 The next meeting of the Planning Commission to be a Regular Meeting to be held
31 on Monday, March 23, 2020 at 7:00 P.M.

32
33 K. **ADJOURNMENT:** 8:45 P.M

34
35 Transcribed by:

36
37
38 Sherri D. Lewis
39 Transcriber
40
41

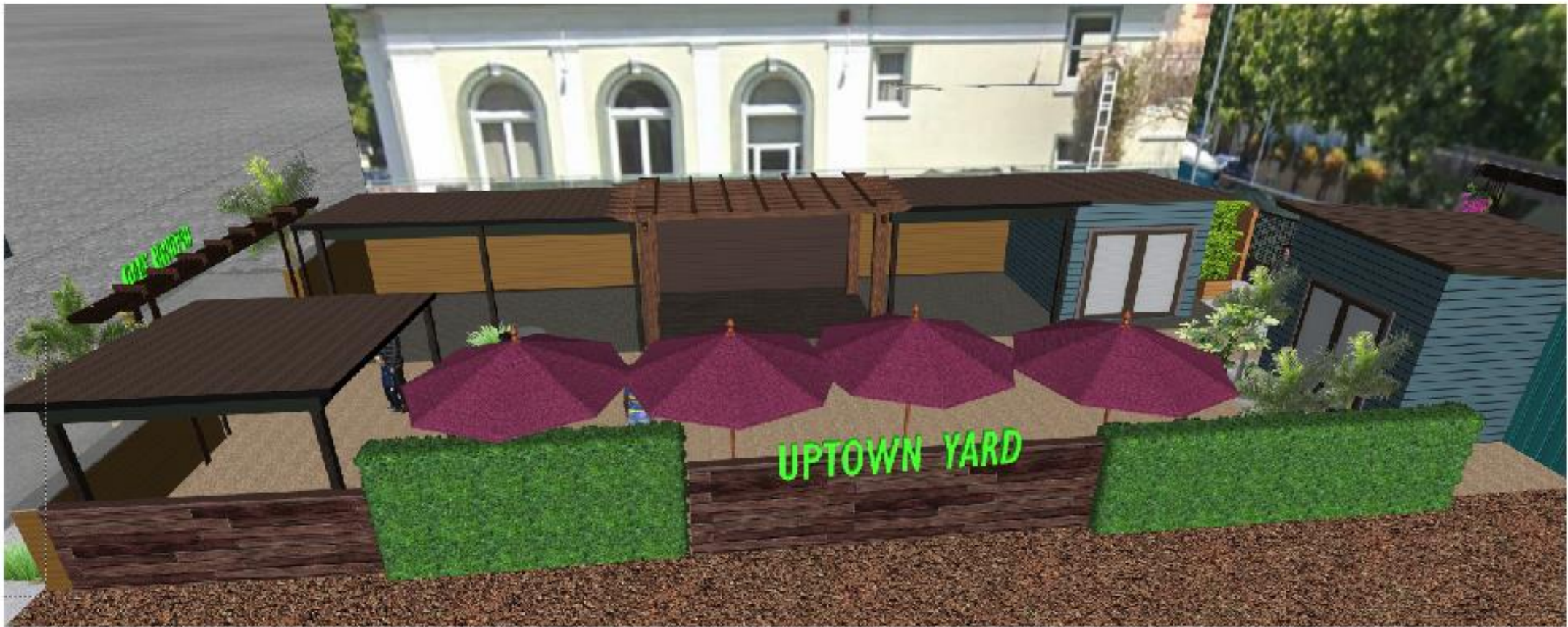
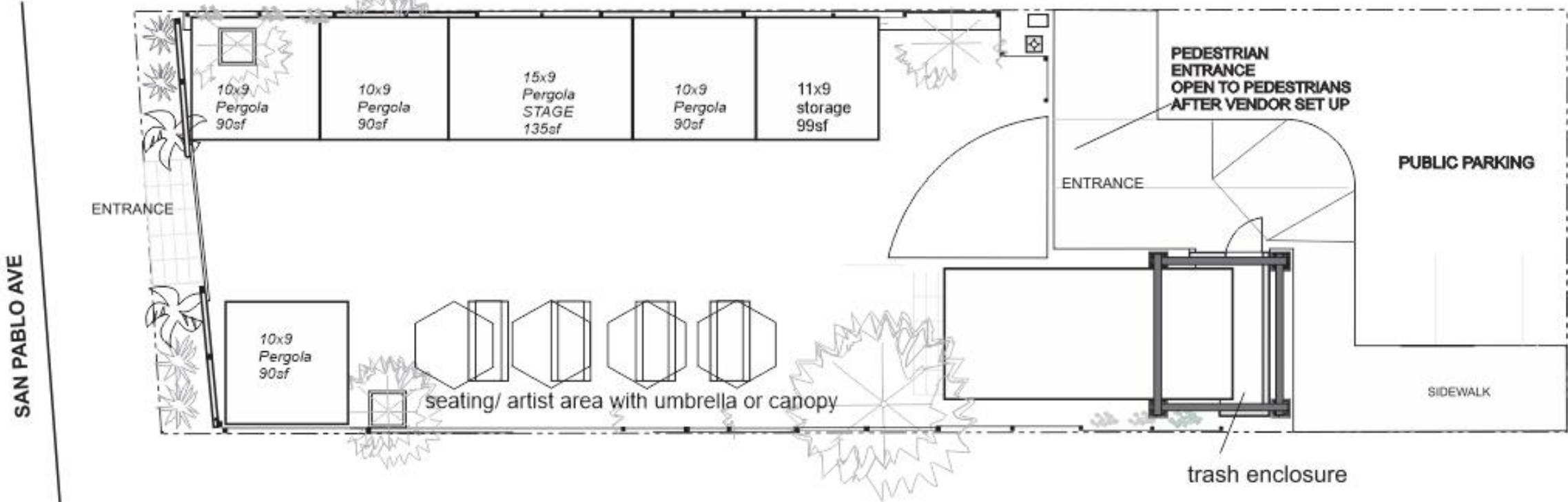
Uptown Yard

2337 San Pablo Ave
Pinole CA

proposed metal & wood pergolas
to provide shade for vendors and public



VENDOR SET UP





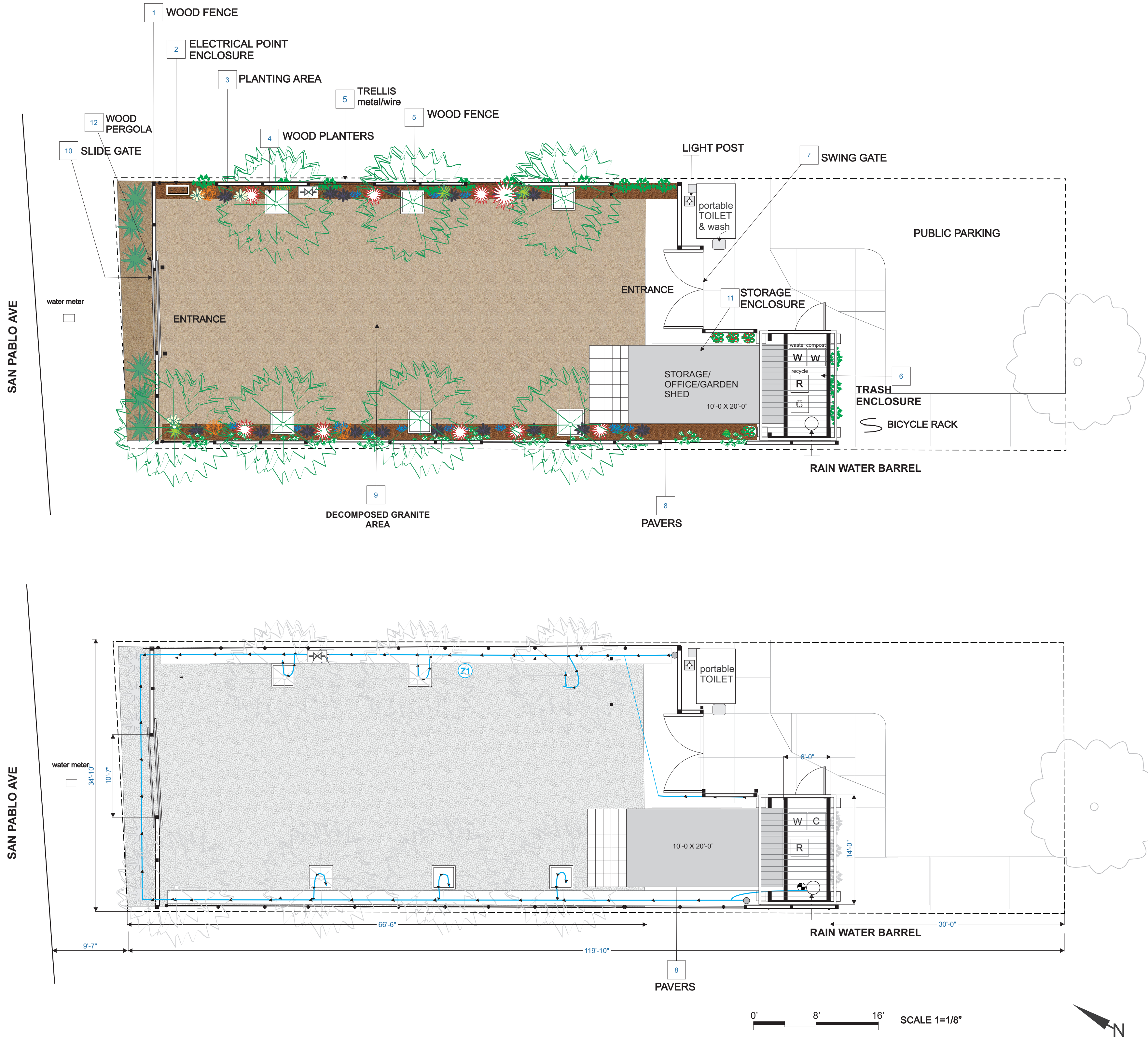
2337 San Pablo Avenue Pinole, California

Casa Amada
Garden
Artisanal eats meet the outdoors

PROPOSAL - LANDSCAPE



PROPOSAL - SITE PLAN



PLANT PALATTE				
BOTANICAL NAME	COMMON NAME	SUNSE T ZONE	PF	IRR GROUP
Lagerstoemia	Crapemyrtle	17	M	1
Arbutus Marina	Strawberry tree	17	M/L	2
Rhamnus alaternus	Italian buckhorn	17	M	2
Thunbergia alata	Black eyed susan	17	M	2
Trachelospermum jasminoides	Star jasmine	17	M	1
Cordyline australis	Pink cordline	17	M	1
Agave Attentua	Agave	17	L/V/L	2
Euphorbia tirucalli	Firesticks	17	ML	2
Senecio serpens	Blue Chalksticks	17	L/V/L	2
Aeoniums	succulent	17	L/V/L	2
Calandrinia spectabilis	rock purslane	17	L/V/L	2
Aeonium	starburst	17	L/V/L	2
Lavandula stoechas	Lavender	17	M/L	2
Sedum	Purple emperor	17	L/V/L	2
Leucadendren	Safari sunset	17	M/L	2
Wodyetia bifurcata	Fox tail palm	17	M/L	1

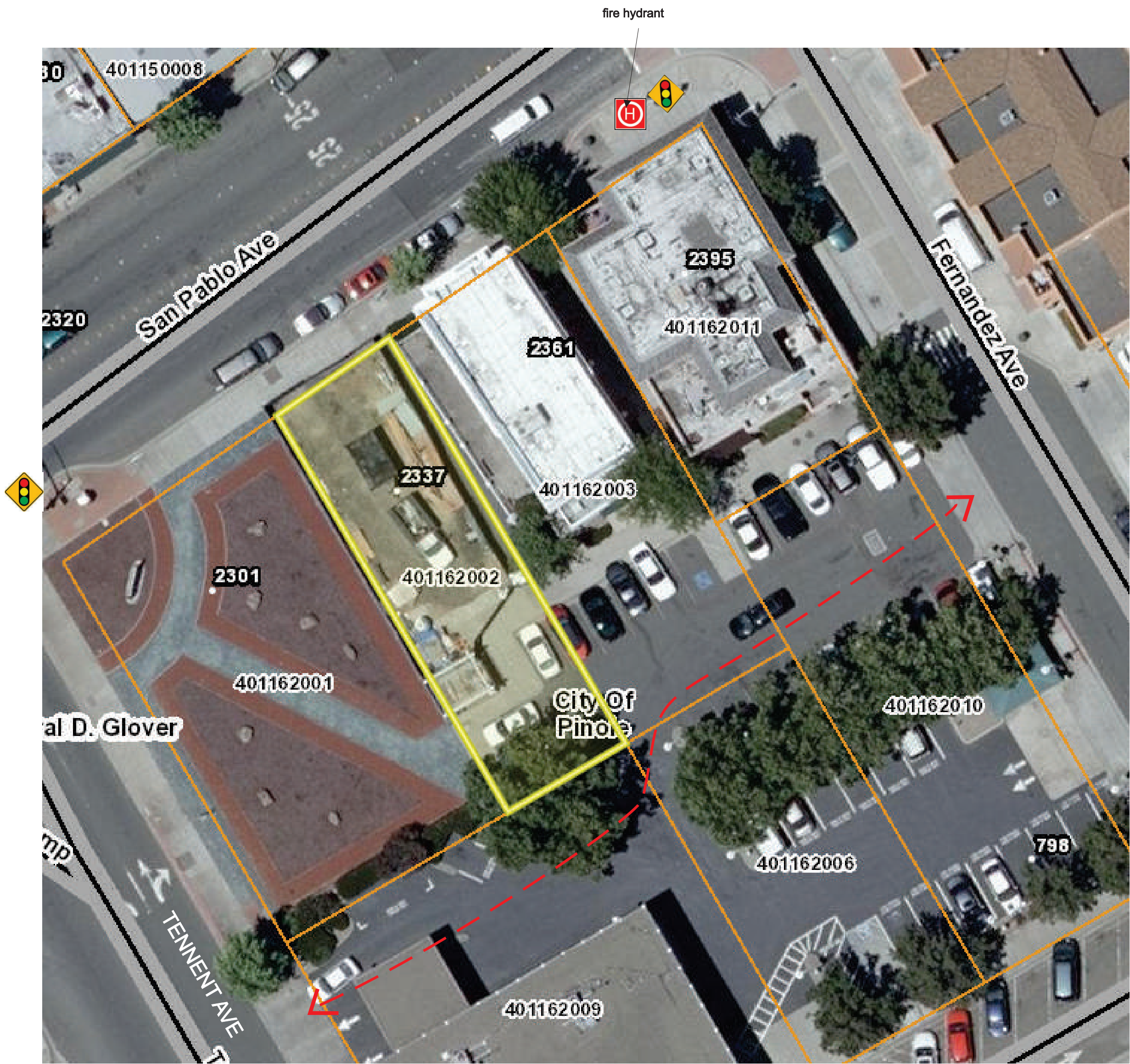
MATERIAL LEGEND		
SYMBOL	ITEM	TYPE/ SIZE
1	wood fence	6" Pine wood siding / 10' 6"w x 6' h
2	utility cover	Metal / 1' 6" x 2' x 2'
3	plantings	Brown bark mulch
4	planters	typ./Rewood/ recycled 3' x 3'
5	fence cable wire trellis	4"x4" posts PT./ 1"x6" typ. redwood planks/recycled, 6' high
6	trash bins, compost & recycle enclosure	stucco & - fiber cement based siding size 6'd x 8w x 7' h
7	swing gate	Galvanized metal & steel posts/ 10'w x 6'h
8	pavers	porcelain 2cm 24" x24"
9	ground	Decomposed granite
10	slide gate	galvanized metal / 12'w x 6'h
11	storage enclosure	top wall fiber cement siding &metal roof
12	pergola	4"x4" PT. wood posts, 12" wood rafters 10'-6"w x 12'-0"h

DESIGN INTENT
To create an outdoor commercial gathering space designed to promote local micro businesses in the food industry and local artists that make their own crafts. A place where locals come to meet, socialize, eat, explore the downtown, and shop locally.

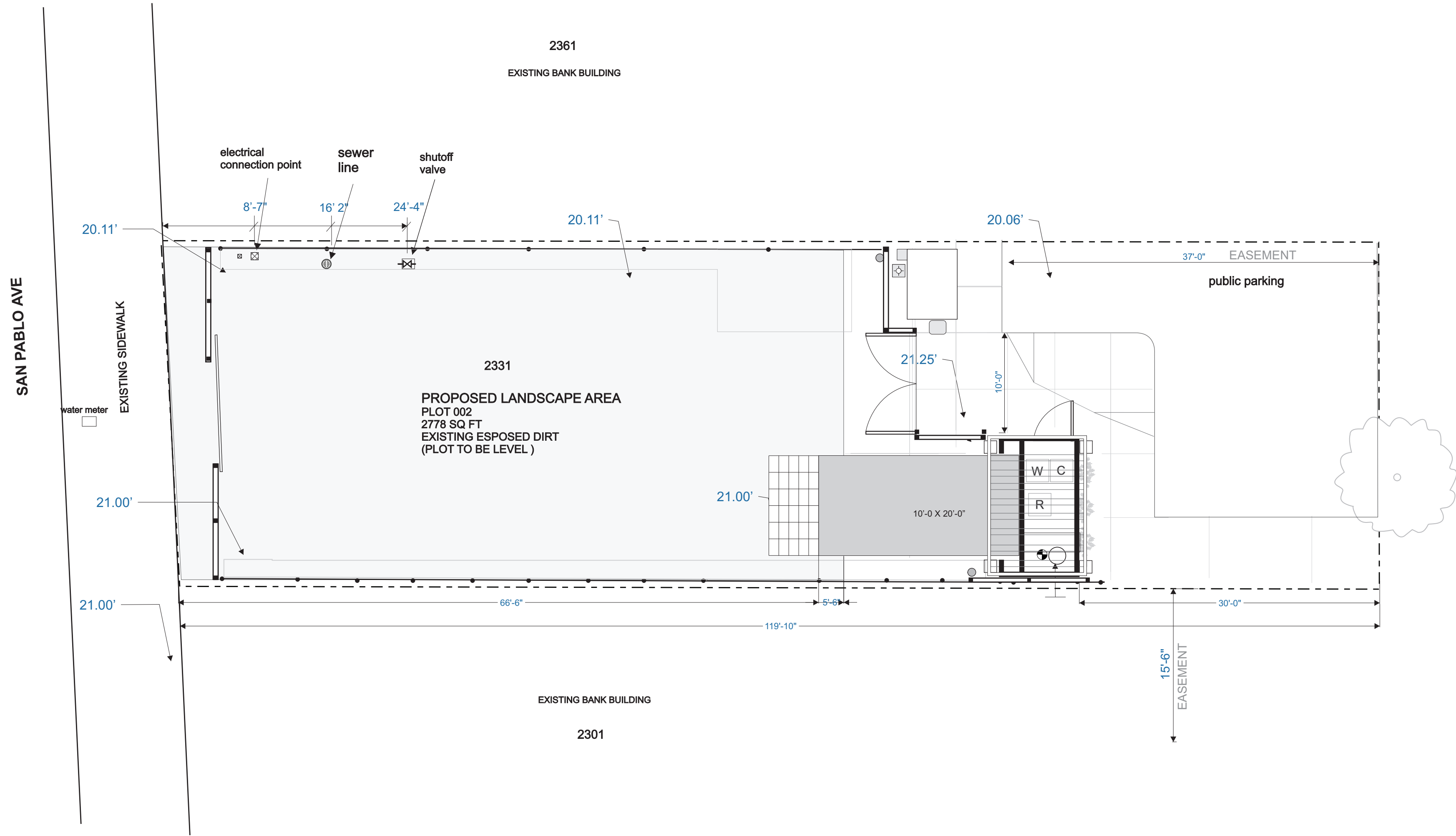
PROPOSAL - IRRIGATION PLAN		
ZONE	HYDROZONE	IRRIGATION METHOD
1	low water	in line drip
2	low water use	in line drip

	PROJECT TITLE / ADDRESS		OWNER / APPLICANT	DATE: 10-11-20	PAGE
	LANDSCAPE PLAN 2337 SAN PABLO AVE PINOLE CA 94564	APN: 401-162-002	RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	SCALE: 1' = 1/8"	1 OF 3

EXISTING SITE



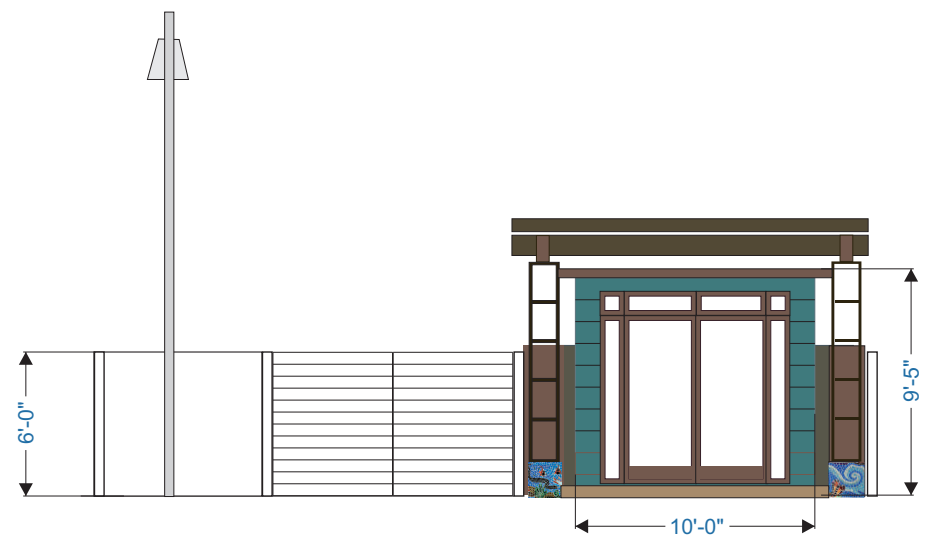
GRADING PLAN



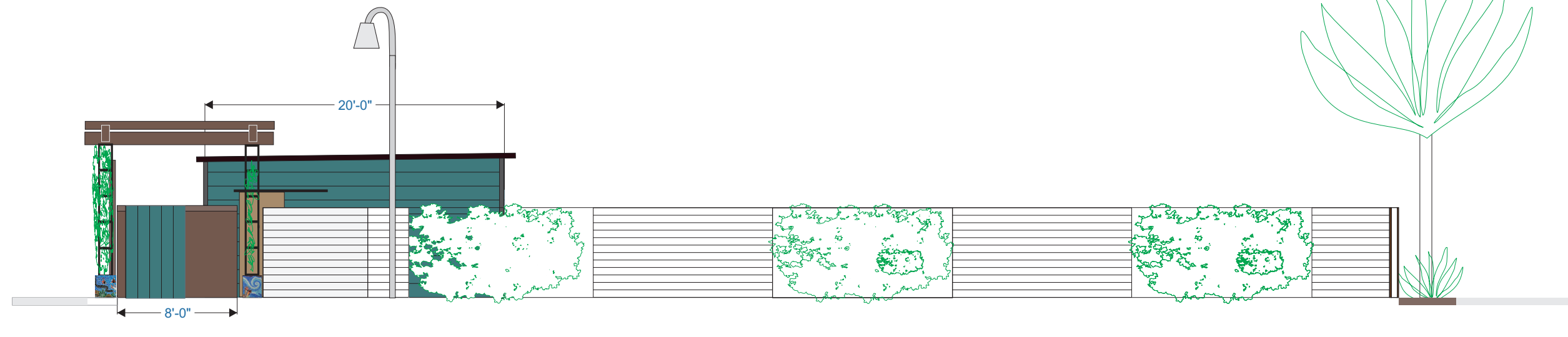
0' 8' 16' SCALE 1"=1/8"



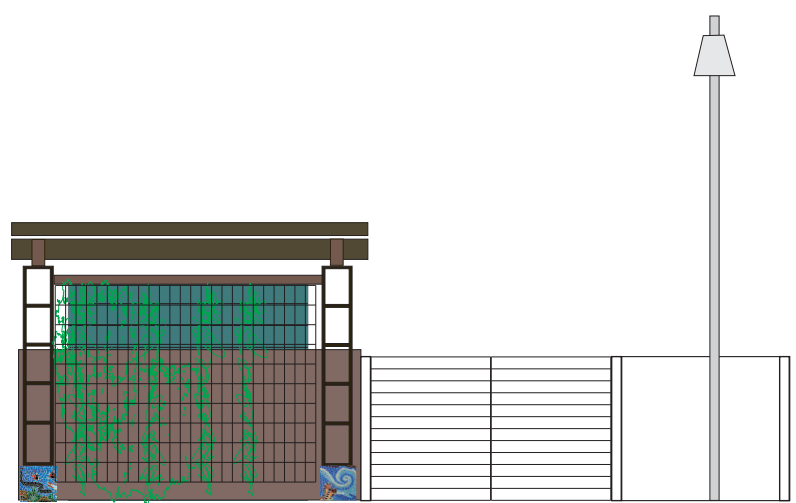
	PROJECT TITLE / ADDRESS GRADING PLAN 2337 SAN PABLO AVE PINOLE CA 94564	APN: 401-162-002	OWNER / APPLICANT RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	DATE: 10-11-20 SCALE: 1' = 1/8"	PAGE 2 OF 3
---	--	-------------------------	---	--	----------------------------------



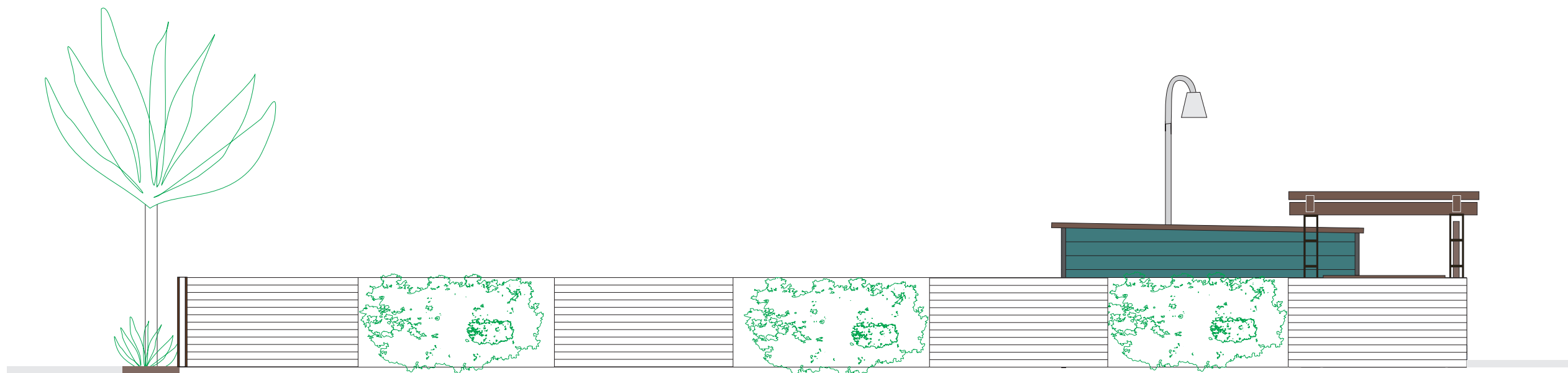
N NORTH SIDE ELEVATION
STORAGE SHED CONSTRUCTION
2X4 FRAMING WITH HARDI PANELS/ FIBER CEMENT
GALVANIZE METAL ROOF



E EAST SIDE ELEVATION
WASTE STORAGE TYP FRAME AND STUCCO WALLS
METAL DOOR SWING OPEN



S SOUTH SIDE ELEVATION: GATE AND FENCE
WASTE STORAGE
INSTALL METAL MESH PANEL AT BACK WALL FOR TRAILING VINES



W WEST SIDE ELEVATION
FENCE, TRAILING VINES AND HEDGES

0' 8' 16' SCALE 1"=1/8"



	PROJECT TITLE / ADDRESS	APN: 401-162-002	OWNER / APPLICANT RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	DATE: 10-11-20	PAGE
	ELEVATIONS 2337 SAN PABLO AVE PINOLE CA 94564			SCALE: 1' = 1/8"	3 OF 4

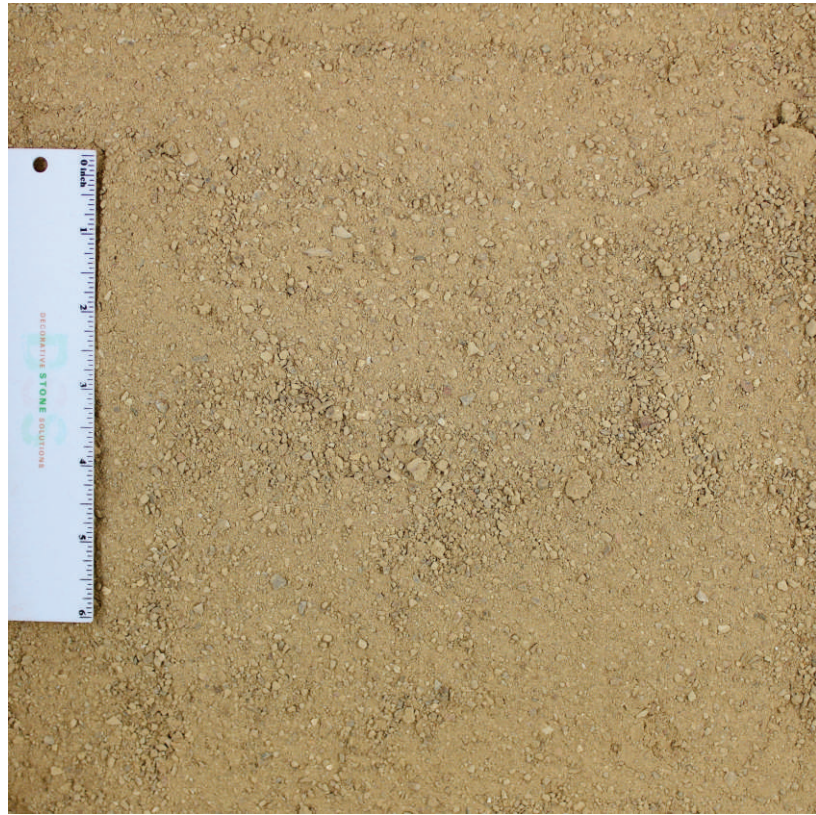
1 WOOD FENCE & PLANTERS - 6" PINEWOOD SIDING
COLOR: CORDOVA BROWN



WOOD FENCE AND PLANTERS - 6" TYP.
TYP - PINEWOOD/ REDWOOD/RECYCLED
OR SIMILAR
COLOR: CEDAR NATURAL TONE



DECOMPOSED GRANITE
COLOR: TYP. (EARTHTONE COLOR)



STONE PAVERS:
SIZE: 12X24 - TYP.
TRAVERTINE, DURANGO CREAM



6 HARDI PLANK - FIBER CEMENT SIDING
COLOR:

BEADED SMOOTH



BEADED CEDARMILL® & BEADED SMOOTH

Width	8.25 in	STATEMENT COLLECTION™	_____
Exposure	7 in	DREAM COLLECTION™	✓
Prime Pcs/Pallet	240	PRIME	✓
ColorPlus Pcs/Pallet	210		
Pcs/Sq	14.3		

CUSTOM COLONIAL SMOOTH®

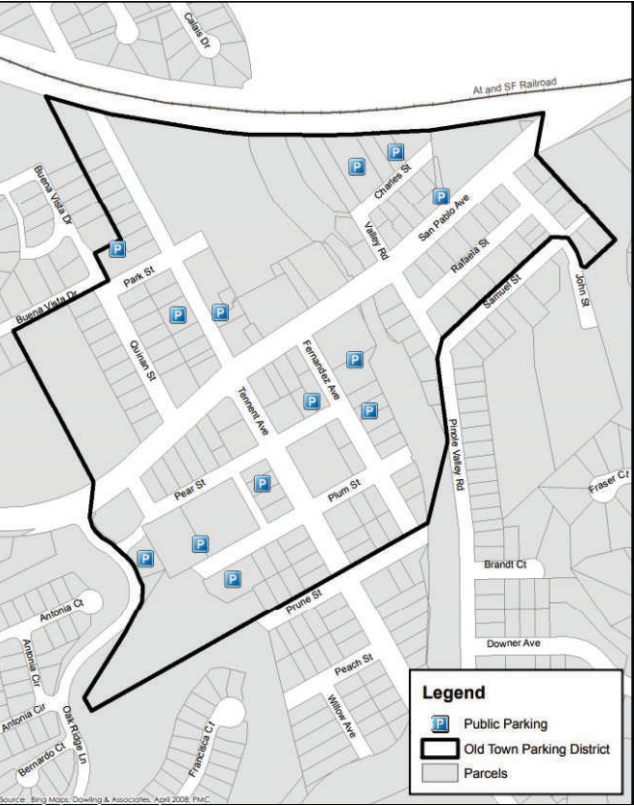


CUSTOM COLONIAL ROUGHSAWN® & CUSTOM COLONIAL SMOOTH®

Width	8 in	STATEMENT COLLECTION™	_____
Exposure	6.75 in	DREAM COLLECTION™	✓
Prime Pcs/Pallet	240	PRIME	✓
ColorPlus Pcs/Pallet	240		
Pcs/Sq	14.9		

	PROJECT TITLE / ADDRESS	APN: 401-162-002	OWNER / APPLICANT RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	DATE: 10-11-20	PAGE
	MATERIAL BOARD 2337 SAN PABLO AVE PINOLE CA 94564			SCALE: 1' = 1/8"	4 OF 4

Parking

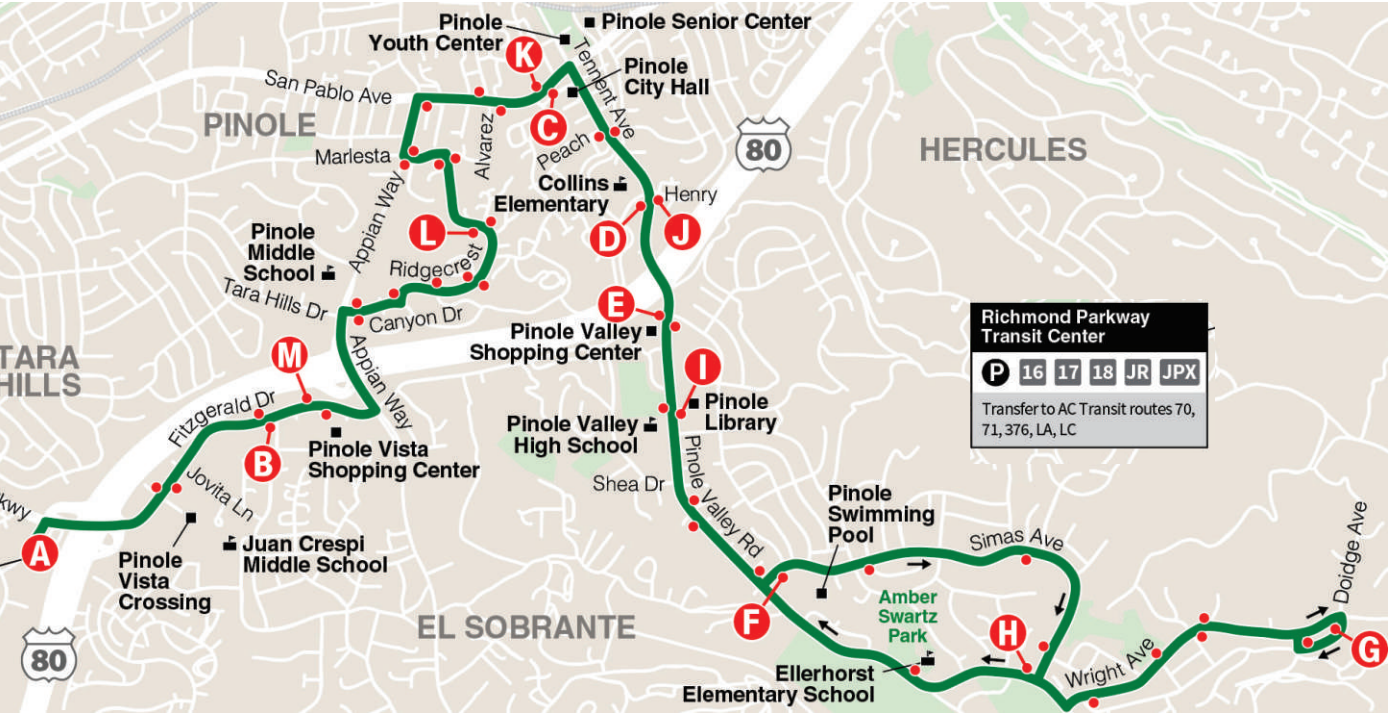


Bicycle Parking

2 bicycle racks will be provided on location

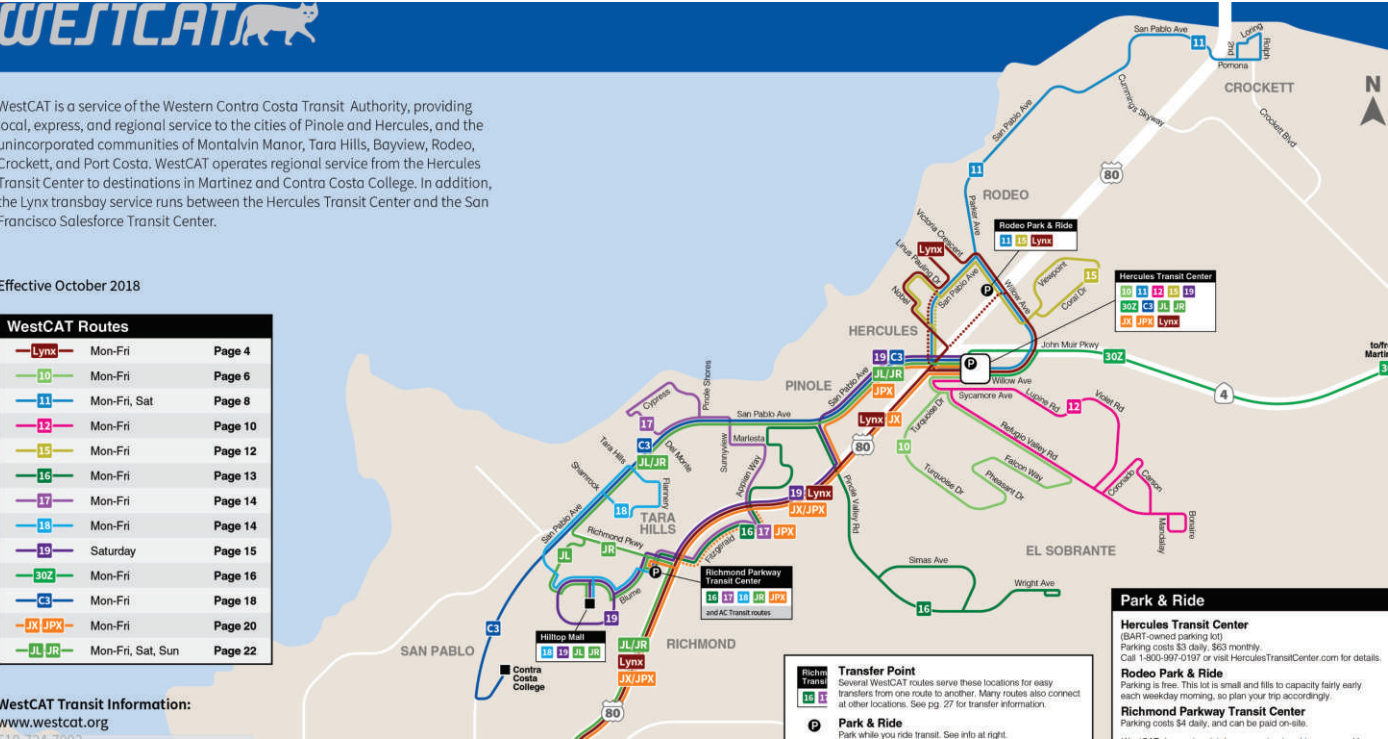
bicycle lockers located at Hercules Transit Center

Public Transportation



Lot Description	Address	Number of spaces
Lot 1-Main City Hall Public	2180 Prune St	77
Lot 2-Post Office Parking -	right of 2101 Pear St	21
Lot 3-City Hall Parking -	2169 Pear St -	20
Lot 4-In front of City Hall	836 Tennent Ave -	11
Lot 5-Bank of the West	2372 Pear St	47
Lot 6-Area N. & E of Mechanics	Bank- 2401 San Pablo Ave	21
Lot 7-Area South of Mechanics Bank	813 Fernandez Ave	43
Lot 8-Captains Cottage	2548 San Pablo Ave	10
Lot 9 A-East Charles St Upper Area	2560 Charles Ave	8
Lot 9 B-East Charles St Lower Area	2572 Charles Ave	16
Lot 10-Senior Center	2518 Charles Ave	70
Lot 11-Tennent Avenue Parking	648 Tennent Ave	35
Lot 12-Christ the Lord Church	592 Tennent Ave	22
Lot 13-New Youth Center	635 Tennent Ave	35
Minimum of total public parking spaces available	436	

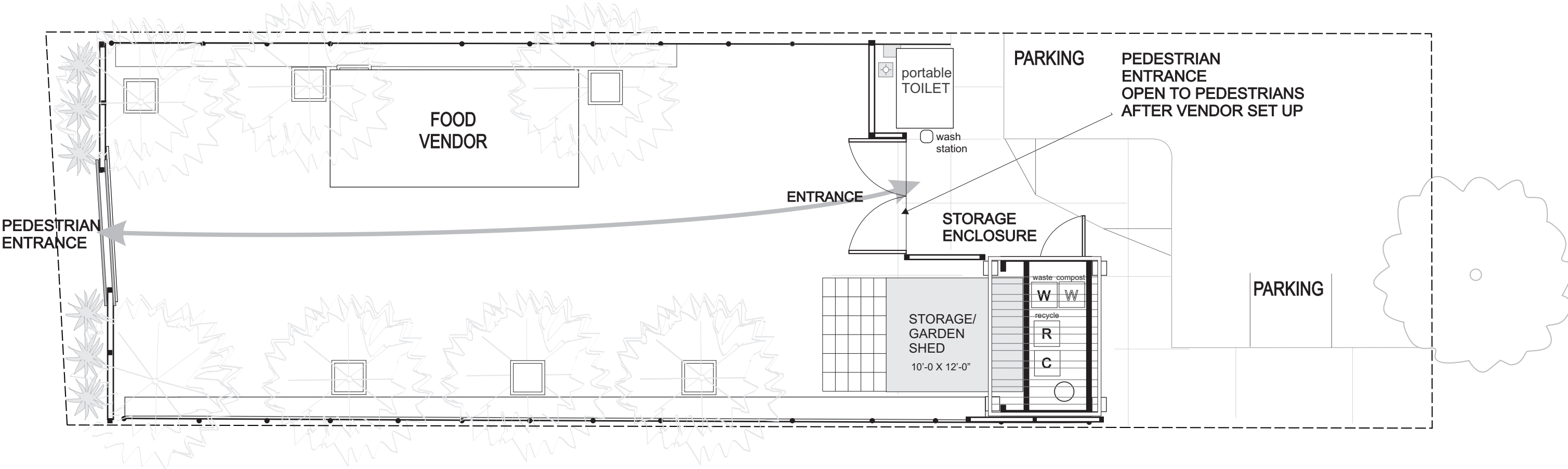
****Additional parking is available along Pablo Ave (2400 lf) and side streets***



Parking	Public transportation	Bicycle	Walking
Surrounded by 436 designated public parking spaces and over 2400 linear feet of street parking along San Pablo Ave.	Hercules Transit Center is 1.7 miles from 2337 San Pablo and accessible by train and a 4 min walk . Estimate time of arrival is 14 min.	Bicycle route from Hercules Transit Center, via I-80 Bikeway/San Pablo Ave and Willow Ave. Estimated time of arrival is 13 min.	15 minute from residential community

Map provided by Westcat.com
additional transportation maps for lynx,local bus,& ADA paratransit can be seen online
<https://www.westcat.org/Content/Pdf/COVIDSchedule.pdf>

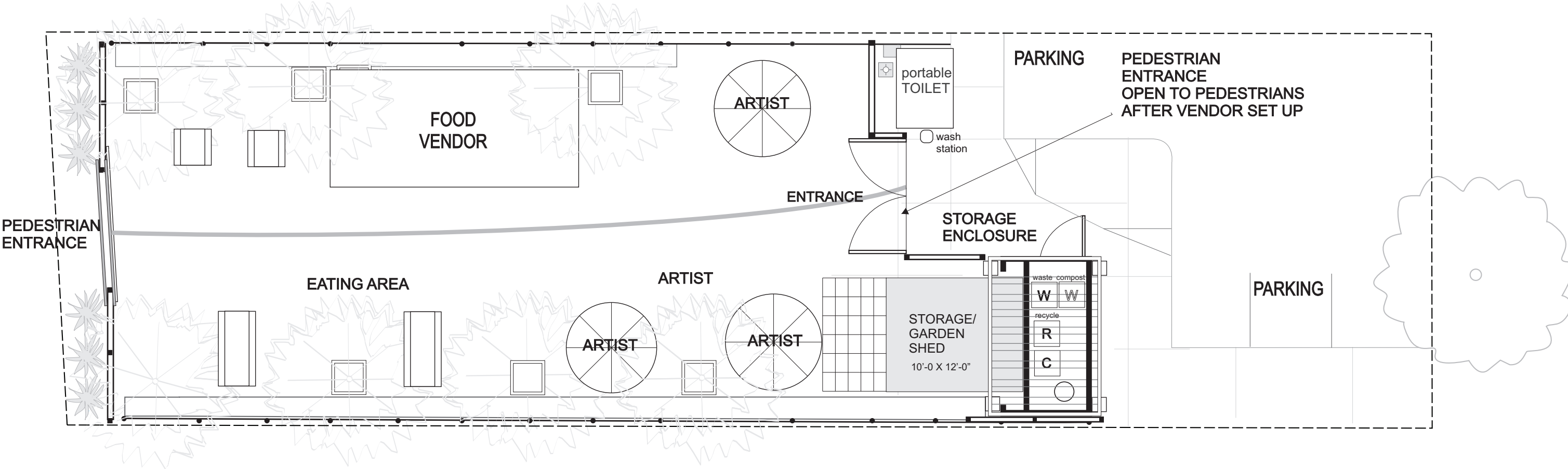
SOCIAL DISTANCING VENDOR SETUP



OCCUPANCY LOAD
standing =119
sitting = 20

	PAGE TITLE	ADDRESS	OWNER	P1
	SOCIAL DISTANCE SINGLE VENDOR LAYOUT	2337 San Pablo Ave Pinole, CA94564 APN: 401-162-002	RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	

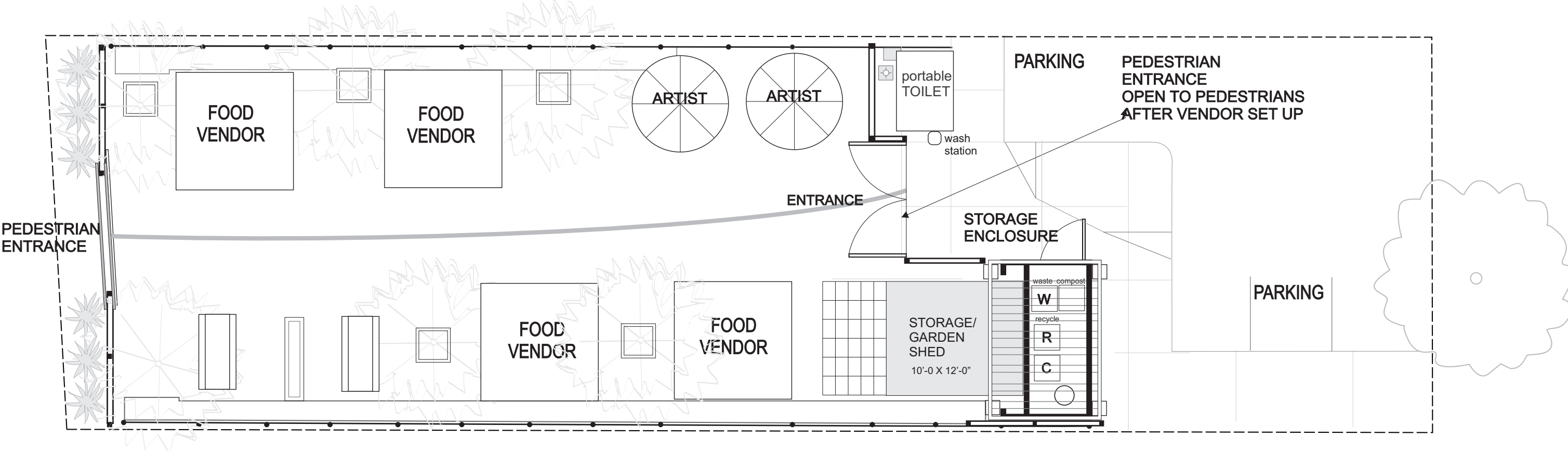
SINGLE VENDOR SET UP



OCCUPANCY LOAD
standing =119
sitting = 20

	PAGE TITLE	ADDRESS	OWNER	P2
	SINGLE VENDOR LAYOUT	2337 San Pablo Ave Pinole, CA94564 APN: 401-162-002	RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	

MULTIPLE VENDOR SET UP



OCCUPANCY LOAD
standing =119
sitting = 28

	PAGE TITLE	ADDRESS	OWNER	P3
	MULTIPLE VENDOR LAYOUT	2337 San Pablo Ave Pinole, CA94564 APN: 401-162-002	RAQUEL CONTRERAS 714 Walker Ave Oakland Ca 94610 Ph. 510.418.1595 E. begrap@sbcglobal.net	

Request for Modifications to Conditional Use Permit – Uptown Yard Marketplace

Dear City of Pinole Planning Department and Planning Commission,

I am writing to formally request modifications to the Conditional Use Permit for Uptown Yard to allow for expanded hours of operation and enhanced use of the space as a curated marketplace that supports local businesses, artisans, and creatives.

Expanded Marketplace Use and Hours

Uptown Yard seeks approval to extend hours of operation to **Monday through Sunday, 9:00 a.m. to 9:00 p.m.** This expanded timeframe would allow additional businesses, crafters, and artists to vend during extended hours, creating a more dynamic and accessible marketplace. Hosting a consistent marketplace at Uptown Yard will attract new and returning visitors, support small businesses, and generate additional economic activity for the City of Pinole—contributing to a more vibrant and thriving downtown shopping experience.

Mobile Food Vendors

We are also requesting approval to allow **one to two mobile food vendors** to operate during Saturday markets and special events. Mobile food vendors help alleviate the logistical and financial hardship associated with recurring booth setup and quarterly health permit fees currently required for individual food booths. Food vending in this area can be challenging due to limited foot traffic, which often results in low sales volume. Mobile food trucks serve as an effective event activation and marketing tool, bringing an established customer following that may not otherwise visit the City of Pinole, thereby increasing visibility, attendance, and overall economic impact.

Music and Performing Artists

To further enhance the visitor experience, Uptown Yard requests approval for limited live music programming under the following conditions:

- **Acoustic music:** Wednesday through Sunday, 11:00 a.m. – 9:00 p.m.
- **Occasional amplified music during special events:**
 - Friday through Sunday, 11:00 a.m. – 6:00 p.m.
- **Frequency limitations:**
 - Live music limited to **three (3) days per month**
 - A maximum of **thirty-six (36) days per year**
 - All performances limited to the hours stated above

Approved music genres would include world music, jazz, rhythm and blues, bluegrass, latin, salsa, cumbia, rock and roll, flamenco, mariachi, bossa nova, Latin jazz, reggae, instrumental, ambient, and easy, listening—styles intended to complement the community-oriented atmosphere of Uptown Yard.



These proposed modifications are designed to thoughtfully activate the site while remaining sensitive to surrounding uses. Uptown Yard is committed to operating responsibly, supporting local entrepreneurs, and contributing positively to the economic and cultural vitality of downtown Pinole.

Thank you for your consideration of this request. I welcome the opportunity to discuss these proposed changes further and am happy to provide any additional information needed to support the review process.

Sincerely,
Raquel Contreras

