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

5
6 **April 13, 2026**

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

10
11
12 **A. CALL TO ORDER:** 7:00 p.m.

13
14 **B. PLEDGE OF ALLEGIANCE**

15
16 **C. LAND ACKNOWLEDGEMENT:** *Before we begin, we would like to acknowledge the*
17 *Ohlone people, who are the traditional custodians of this land. We pay our respects to*
18 *the Ohlone elders, past, present and future, who call this place, Ohlone Land, the land*
19 *that Pinole sits upon, their home. We are proud to continue their tradition of coming*
20 *together and growing as a community. We thank the Ohlone community for their*
21 *stewardship and support, and we look forward to strengthening our ties as we continue*
22 *our relationship of mutual respect and understanding.*

23
24 **D. ROLL CALL**

25
26 Commissioners Present: Bender, Huey, Lam-Julian, Martinez, Uch, Vice-Chairperson
27 Menis and Chairperson Sandoval

28
29 Commissioners Absent: None

30
31 Staff Present: David Hanham, Planning Manager
32 Justin Shiu, Associate Planner

33
34 Vice-Chairperson Menis reported on his ex-parte communications to his email list about the
35 topic on the meeting agenda and other topics.

36
37 **E. CITIZENS TO BE HEARD**

38
39 Anthony Vossbrink asked the Planning Commission to consider a future agenda item for
40 a second Citizens to be Heard at the end of the meeting agenda and possibly limit it to
41 three minutes, particularly since many people who worked may be unable to provide public
42 comment at the start of the meeting. He otherwise commented that the Public Works
43 Department claimed improvements had been made to the dog park, such as removal of a
44 tree stump, but they also removed a third of the existing mature trees in the large dog park
45 absent any public comment and removed a large branch that provided shade that dogs
46 and children used to climb, which posed no hazard. He suggested any time more than 25
47 percent of a tree was cut, the City should bring in an outside arborist to consult. He added
48 that none of the drinking fountains in the dog park were operable nor were the fountains
49 operable at the public tennis courts outside of the Pinole library.

1 Mr. Vossbrink also suggested the City along with the County Librarian and construction
2 company, should have notified the public about what funds were being spent related to
3 the Pinole Library renovations including the start date of the project, time of the closure of
4 the library, tennis patrons assured the courts would remain open during construction and
5 identification of alternatives to parking. While a small sign had been installed to identify
6 the tennis courts ingress/egress in the alleyway, the City needed to do a better job
7 informing the public, rather than some of the questionable spending by the City Council.
8 He would like to see potholes repaired and lights replaced that were out around the I-80
9 ingress/egress, some of which were related to Caltrans and others the responsibility of the
10 City of Pinole.

11
12 Chair Sandoval suggested the speaker reach out to the Public Works Director directly or
13 to the City Council with respect to the issues with the Public Works Department via email
14 or in writing.

15
16 Vice-Chairperson Menis advised he had also requested consideration of a second
17 Citizens to be Heard at the end of the meeting agenda at the March 23, 2026 Planning
18 Commission meeting, with staff to look into what was required to make that happen.

19
20 Planning Manager David Hanham reported the Pinole Municipal Code (PMC) did not have
21 a set agenda. He was unsure a second Citizens to be Heard was needed since Planning
22 Commission meetings started at 7:00 p.m., two hours later than City Council meetings,
23 with more than enough time for people to participate. He noted if the Planning
24 Commission had more than a couple of items on the agenda, as an example, the second
25 Citizens to be Heard may not happen before 10:30 or 11:00 p.m. He suggested it was
26 difficult for Planning Commission meetings to have that second Citizens to be Heard due
27 to the way the Planning Commission worked, and the start time of the meeting where that
28 second opportunity would land in terms of the length of the meeting, although it was up to
29 the Planning Commission if it wanted to add a second Citizens to be Heard, which could
30 be discussed at the next meeting. At this time, he would recommend only one Citizens to
31 be Heard be agendized for the reasons stated.

32
33 Vice-Chairperson Menis commented on the requirement for an independent arborist
34 inspection for major tree trims and asked if the PMC required a certified arborist for tree
35 work or whether the Public Works Department would sign off on its own work.

36
37 Mr. Hanham reported Public Works Manager Joe Bingaman was a certified arborist and it
38 was possible the tree trimming referenced was his decision. He clarified for private
39 property, a third-party arborist report was required but not on City property.

40
41 Vice-Chairperson Menis asked who would address the concerns with the drinking
42 fountains, to which Mr. Hanham stated the concerns raised about the trees, the drinking
43 fountains, anything about the dog park and ingress/egress issues at the Pinole Library
44 were all Public Works issues. If anyone had a complaint they could email Joe Bingaman
45 directly at jbingaman@pinole.gov or Public Works Director Heba El-Guindy at
46 helquindy@pinole.gov.

47
48 **F. MEETING MINUTES**

- 49
50 1. Planning Commission Meeting Minutes for March 23, 2026

1 **MOTION** with a Roll Call vote to approve the Planning Commission Meeting Minutes for
2 March 23, 2026, as shown.

3
4 **MOTION: Sandoval**

SECONDED: Martinez

APPROVED: 7-0

5
6 **G. PUBLIC HEARINGS**

7
8 1. UP25-0007 The Queen Relaxation & Body Works – 1660 San Pablo Avenue

9
10 Mr. Hanham presented the staff report dated April 13, 2026. He recommended the
11 Planning Commission adopt Resolution 26-05 approving a Conditional Use Permit for
12 Queen Relaxation & Body Works located at 1660 San Pablo Avenue.

13
14 Responding to questions from the Planning Commission, Mr. Hanham clarified the
15 following:

- 16
17
- 18 • Acknowledged there were a number of existing similar establishments that were
19 located nearby and throughout the City of Pinole and a request that the staff report
20 be updated with identification of all of the similar business in Pinole. Staff also
21 clarified the business would be located within tenant space on the ground floor of
22 the building located at 1660 San Pablo Avenue. (Martinez)
 - 23 • Acknowledged a request for staff to detail the services other similar establishments
24 that were within proximity to the proposed business offered to their clients. (Lam-
25 Julian)
 - 26 • Acknowledged Page 17 of 21 of the agenda packet, the first WHEREAS clause of
27 Resolution 26-05, would be corrected to reflect the correct address to read: *1660*
28 *San Pablo Avenue*. (Uch)
 - 29 • Acknowledged again there were a number of existing similar establishments in
30 Pinole and clarified some of them offered different massage services to that being
31 proposed by the subject applicant, who also offered sauna treatments and showers
32 for patrons and more in-depth services as compared to the other businesses. Also,
33 some of the other businesses had either one or two massage rooms, whereas the
34 applicant would have a number of treatment rooms. The other establishments also
35 did not have a way to expand within their existing structures given the limited
36 spaces. (Vice-Chairperson Menis)
 - 37 • The Contra Costa County Fire Protection District (CCCFPD) and Building
38 Department would ensure fire access and exits as part of the review of the formal
39 plans when submitted. (Vice-Chairperson Menis)
 - 40 • The applicant had identified a couple of locations where the sauna could be
41 located, it would not affect anything on the outside of the building. Entry to the
42 various treatment rooms, sauna and restrooms were identified. (Vice-Chairperson
43 Menis)
 - 44 •
 - 45
 - 46
 - 47
 - 48
 - 49

- As noted in the staff report, *Under the Three Corridors Specific Plan, the CMU zoning district allows for Personal Services - Restricted uses with approval of a Conditional Use Permit. The use classification is defined as “personal service establishments (e.g., check cashing services, fortune tellers, psychics, palm readers, and similar services, tattooing, piercing, massage parlors, and similar services) tending to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. These uses may also include accessory retail sales of products related to the services provided.”* As to how a blighting effect was determined, staff clarified the analysis was subjective and done when the General Plan and Three Corridors Specific Plan were updated.

As an example, for check cashing services, an assumption was made what those businesses were and there was subjectiveness when put into the PMC. The City was fortunate the Pinole Police Department (PPD) did yearly random checks on those businesses, and took a proactive approach to ensure such establishments were not a blight on the community, played by the same rules and were all certified and up to date, as required. (Vice-Chairperson Menis)

- As to what concentration of similar businesses was deemed acceptable, staff suggested similar businesses could all be in one center with different services provided. No number had been identified to regulate how many similar businesses should be located within close proximity of another. Staff noted like businesses liked to be in the general area of the same (such as fast-food restaurants). There was currently no standard of how many like businesses were allowed in a certain area in the PMC, other than to ensure the businesses followed the rules and were certified, as required. (Vice-Chairperson Menis)
- Massage therapy had been listed as a use that required a Conditional Use Permit (CUP), since additional permits may be required from the PPD or through the public health department or others, and the City required a CUP to ensure the business maintained its requirements. In this case, this was a use that required a CUP because the use involved certification or stricter conditions to ensure the business ran smoothly within the City. Personal Restricted Uses were intended to differentiate. There was also recognition that massage parlors, which had a certain reputation in the past, were used by a lot of people for bodily injuries, athletic injuries, occupational therapy and body wellness and the like. Given the certifications needed and since the business needed to go through the PPD, that was why a CUP was required. (Chair Sandoval)
- In the event the applicant planned to expand into additional suites or if the business planned to expand upstairs or down the hall in the future, the Planning Commission could be informed the business was expanding into different areas of the building. However, at this time, all improvements were being done in an existing suite and through tenant improvements, which did not have to come back to the Planning Commission for review. (Chair Sandoval)

PUBLIC COMMENTS OPENED

1 Victoria Lee, Applicant, 2701 Oharte Road, Richmond, Owner, Queen Relaxation & Body
2 Works, welcomed any questions from the Planning Commission with staff having covered
3 the details of the application.
4

5 Scott Maskell, identified himself as the Property Manager of the Pinole Office Center
6 where the business would be located. He stated the proposed business had been
7 discussed with the existing tenants in the building and there had been positive responses
8 from all of the businesses. One of the tenants, Jiva Health, was a diabetes clinic which
9 found the business would be helpful to their clients, and another tenant, a beauty salon
10 which catered to the elderly, looked forward to the business opening.
11

12 Mr. Maskell reported the office center had 41 parking spaces, and there were always
13 approximately a dozen parking spaces available with plenty of parking. The center did not
14 face the street and was in the back hidden away. With the new tenant and in response to
15 concerns from the existing tenants, a 16-camera surveillance system had been installed.
16 He suggested the business would benefit the area and the existing businesses in the
17 building. He hoped the Planning Commission would approve the CUP.
18

19 Commissioner Martinez commented he had used an insurance agent in the center years
20 ago and the area was dark in the evenings and there were few trash cans. He asked
21 whether the lighting had been updated.
22

23 Mr. Maskell confirmed the lights had been updated to light emitting diodes (LEDs). He
24 was a Real Estate Broker and had access to a maintenance crew and had ensured the
25 lights were upgraded throughout the building. Also, two concrete trash cans were located
26 on-site and were maintained on a regular basis.
27

28 Commissioner Lam-Julian was pleased a camera surveillance system had been installed
29 along with improvements to the lights around the building. She was aware of a situation
30 where a tenant on the top floor had been robbed and asked whether any other incidents
31 had come up. She also commented that spas were in a vulnerable situation given they
32 typically had older customers. Since the building was situated back from the street, she
33 asked whether the site had experienced any questionable behavior.
34

35 Mr. Maskell understood no loss had been incurred with the theft referenced which had
36 been immediately reported. The surveillance cameras would record constantly and had
37 infrared capabilities with coverage in the parking lot. Other than some minor issues with
38 the homeless, which had been curtailed by reprogramming the elevators, there had been
39 no issues. He had been managing the property since 2015, and there had been no
40 incidents in the elevator since it had been reprogrammed. There had been issues with
41 cars broken down that were left in the parking lot, but that issue had been resolved quickly.
42

43 Vice-Chairperson Menis asked about the retention period of the camera data, to which Mr.
44 Maskell explained the camera system had a capacity of five terabytes and between 25
45 and 30 days. He reiterated the elevators had been reprogrammed and were operable
46 during normal business hours and off between the hours of 10:00 p.m. and 7:00 a.m.
47

48 Commissioner Martinez commented the building had shown wear and tear and asked
49 whether it would be rehabbed in terms of new exterior paint and the like.
50

1 Mr. Maskell stated the exterior of the building had been painted around two years ago.
2 The parking lot needed work and they had contractors come in. When the weather
3 improved, some concrete driveway that had failed would be removed and the area would
4 be repaved.
5

6 Anthony Vossbrink asked if this building was the same property that at one time the
7 occupant/owner/landlord, an ophthalmologist had been responsible for maintaining or
8 upgrading the property to something more acceptable and compatible with the other office
9 complex across the alleyway/street. He suggested more should be required for upgrades
10 to the building to avoid falling into further disrepair. He questioned how many massage
11 parlors were needed in Pinole within a half or three quarter-mile radius of one another and
12 suggested West County did not need to be known as the massage parlor capital. He
13 understood the existing massage parlors in Pinole were not doing well post-COVID and
14 he was not certain similar businesses would like this competition in the same area.
15

16 Mr. Vossbrink suggested the building be repainted with a fresh coat of paint. He also
17 asked about the applicant's experience operating a massage parlor, and questioned
18 whether the property owner was looking for a quick tenant to get tax revenue or whether
19 there were other tenant opportunities that had not been considered. Given this was only
20 a partial tenant, he asked if they were taking up 25 or 50 percent of the building. He
21 recalled having been inside the building, there was a dark stairwell that was scary and he
22 was unsure if it was secured at night with security cameras, which should be addressed.
23 He also asked whether the business would be subject to annual review.
24

25 Mr. Maskell reported the property owners had worked on-site for many years, owned the
26 building and recently retired in December 2025, having sold their practice to Jiva Health.
27 He was unaware of any stairways that were dark, possibly because the lighting had been
28 improved. Other potential tenants had been declined so as to not compete with the
29 existing tenants in the building or the potential tenants had not met certain qualifications.
30

31 Mr. Hanham clarified the reference to Dr. Lee, an ophthalmologist, was not in this building
32 but further down on San Pablo Avenue in the 1300 block of San Pablo Avenue.
33

34 PUBLIC COMMENTS CLOSED
35

36 Vice-Chairperson Menis asked whether the Planning Commission could consider the
37 competition effects on other businesses within the region, or whether that was outside the
38 purview of the Commission.
39

40 Mr. Hanham stated that was outside the purview of the Planning Commission, which was
41 not involved in the economics or the viability of the business and it was up to the business
42 to decide whether their business could be viable within a certain area. The Planning
43 Commission was to determine whether the land use and zoning was compatible with the
44 proposed use. The only way the City would become involved was if there was a land use
45 issue, such as if the City Council and Planning Commission decided only one massage
46 parlor could be located within a certain distance of another.
47

48 Vice-Chairperson Menis read into the record Policy CC.3 and Policy CC.3.2, as outlined
49 on Pages 13 and 14 of 21 of the agenda packet, as shown in the April 13, 2026 staff report.
50

1 Commissioner Martinez commented the signage along San Pablo Avenue listed all of the
2 tenants in the building and he asked whether the new tenant would also be identified.

3
4 Mr. Hanham explained the building had an approved Master Sign Program and when the
5 tenant submitted signage, it would be reviewed for compliance with the Master Sign
6 Program.

7
8 Commissioner Martinez clarified no neon light would be proposed for the business sign,
9 and Mr. Hanham advised neon lighting was not permitted and when the sign was
10 submitted, it would be reviewed to ensure compliance with the Master Sign Program and
11 the PMC.

12
13 Vice-Chairperson Menis recalled when a massage parlor came before the City in the past,
14 the City wanted to prevent the de facto establishment of a red-light district in the City of
15 Pinole, which was the reason for the requirements to ensure the therapists were qualified,
16 and had necessary permits. He recalled that was why such uses had been flagged as
17 tending to have a “blighted or deteriorating effect,” and why it fell under that restricted use.

18
19 Commissioner Lam-Julian also commented on the other massage parlor businesses in
20 Pinole and conversations about a more robust offering. In this case, the business would
21 also offer deep tissue massage and a sauna option, which services were desired by
22 members of the community who traveled outside Pinole to seek out these services. She
23 found the business would provide a robust offering in Pinole with added services that were
24 not currently offered by others.

25
26 **MOTION** with a Roll Call vote to adopt Resolution 26-05, with Exhibit A: Conditions of
27 Approval, a Resolution of the Planning Commission of the City of Pinole, County of Contra
28 Costa, State of California, Approving a Conditional Use Permit (CUP 23-01) for a Wellness
29 Center and Massage Therapy Establishment (Queen Relaxation and Bodyworks) located at
30 1660 San Pablo Avenue, APN: 401-350-059, subject to the correction of the address in the
31 first WHEREAS clause on Page 17 of 21 of the agenda packet, to read: *1660 San Pablo*
32 *Avenue.*

33
34 **MOTION: Sandoval SECONDED: Bender APPROVED: 7-0**

35
36 Chair Sandoval read into the record the appeal process as shown on Page 2 of the April
37 13, 2026 meeting agenda.

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

40
41 **I. NEW BUSINESS:** None

42
43 **J. CITY PLANNER’S/COMMISSIONER’S REPORT**

44
45 Mr. Hanham suggested if the Planning Commission wanted to add a second Citizens to be
46 Heard to the meeting agenda, that could be included on a future agenda. He otherwise had
47 no update other than all projects were moving forward.

48
49 Vice-Chairperson Menis supported bringing back a future agenda item for a second Citizens
50 to be Heard under the same rules as the City Council.

1 Vice-Chairperson Menis stated the City Council allowed for public comment at the beginning
2 of the meeting and also at the end of the meeting for those unable to comment the first time.
3 He suggested it would be worthwhile to have a second Citizens to be Heard at the end of the
4 meeting, even though Planning Commission meetings started at 7:00 p.m. since some
5 people may still not be able to attend or call-in at the beginning of the meeting. The second
6 opportunity would be beneficial for the Planning Commission to hear from the public and he
7 did not see it would be used often.
8

9 Commissioner Huey supported the future discussion on this topic, but also recommended
10 that the Commission consider scaling back the public comment time period from five to three
11 minutes. She suggested people had very flexible schedules and she wanted to provide the
12 public the opportunity to speak.
13

14 Chair Sandoval asked if the item were to be approved whether a member of the public would
15 be allowed to comment once at the beginning of the meeting and again a second time at the
16 end of the meeting.
17

18 Mr. Hanham suggested that would be up to the Planning Commission and a point to bring
19 up as part of the rules of using Citizens to be Heard. If a second Citizens to be Heard were
20 added and if a meeting went beyond 11:00 p.m., the meeting would have to be continued for
21 the item since it could not be cut out. The time period for Citizens to be Heard could also be
22 discussed, currently limited at five minutes whereas the City Council limit was three minutes.
23 If there were two Citizens to be Heard, staff would support reducing the time period to three
24 minutes for each Citizens to be Heard, which could be discussed further related to the rules
25 and regulations for the item.
26

27 Chair Sandoval suggested if a member of the public commented twice they should reduce
28 the time limit, particularly if the same person commented on both Citizens to be Heard, or the
29 Commission could consider the citizen speaking once for one or the other Citizens to be
30 Heard.
31

32 Mr. Hanham stated as part of a future discussion, staff could provide different alternatives.
33

34 **MOTION** to bring forward as a future agenda item discussion of adding a second Citizens to
35 be Heard period to the standard agenda format of Planning Commission meetings.
36

37 **MOTION: Menis**

SECONDED: Lam-Julian

APPROVED: 6-1

NOES: Martinez

38
39
40 PUBLIC COMMENTS OPENED

41
42 There were no comments from the public.
43

44 PUBLIC COMMENTS CLOSED
45

46 Commissioner Lam-Julian asked about the status of the former Kmart and Safeway
47 properties and the date for Appian Village to open, and Mr. Hanham reported the demolition
48 permit had been received and was under review for the Kmart property; staff received no
49 plans for the new apartment building; and there had been no inquiries for potential applicants
50 or input from the actual landowners for the Appian 80 property.

1 Mr. Hanham added that Appian Village was close to approval of a temporary use permit for
2 the sales office and the occupancy of the first five buildings was expected around the end of
3 summer or the beginning of fall.
4

5 Commissioner Martinez understood when the restriping was done for Appian Village some
6 parking on the street had been reduced, which had created parking issues for the dentist
7 office across the street. Before Appian Village was formally open, he asked that staff work
8 with the developer to ensure the Homeowner's Association (HOA) for Appian Village include
9 language that would require anyone parking in the few parking spaces be allowed to park for
10 24/hours or less, so that the parking spots would be available for visitors to the area, given
11 the parking issues for the dental and medical offices within proximity to the development. He
12 hoped that would be done before the facility was approved to open.
13

14 Mr. Hanham clarified that all of the units would have their own parking garage, as well as
15 additional guest parking spaces on-site. The only thing the City had limited was guest
16 parking, not the on-site parking. He would have to review what had been approved.
17 Currently, the area was not red striped in front of the dental/medical offices and nothing
18 prevented parking unless No Parking signs were posted on Appian Way. He was aware that
19 people parked in the area for the school in the after-school hours.
20

21 Mr. Hanham recalled the dental offices were part of a condominium project and when the
22 map was redone, which had been approved by the Planning Commission, there was enough
23 parking based on the units that were being provided. Currently, there were no restrictions
24 for the on-street parking on Appian Way but he would check with the Public Works
25 Department.
26

27 Commissioner Martinez commented that many people did not use their garages for vehicles
28 but for storage, and while Appian Village had two car garages, given the development had
29 been given a concession for reduced parking, there needed to be assurance that would not
30 impact the community around them, particularly since there had already been impacts from
31 the development.
32

33 Mr. Hanham pointed out the development was not yet open and whatever the impacts on the
34 dental or medical offices was created by those uses unless it was construction vehicles
35 parking on the street, which could be one issue. Staff would review the situation but pointed
36 out Appian Village was similar to Vista Woods, Pinole Vista and BCRE, which all had
37 approved parking concessions. He would have to review the HOA and covenants, conditions
38 and restrictions (CC&Rs) for Appian Village, which may require parking in the garages and
39 he could email the developer to see if that was the case. Again, there were currently no
40 parking restrictions on Appian Way that would not allow for on-street parking. He would also
41 review the conditions of approval for the project with a report back at the next Planning
42 Commission meeting.
43

44 Associate Planner Justin Shiu suggested staff could also look at the plan set and double
45 check with the Public Works Department.
46

47 **K. COMMUNICATIONS**
48

49 Vice-Chairperson Menis reported on upcoming community events.
50

1 Those events included: the Senior Food Distribution at the Senior Center from 10:00 to 11:00
2 a.m. on April 14, 2026; City Council Finance Subcommittee meeting on April 15, 2026 at 5:00
3 p.m. in a hybrid format in the Council Chambers; and Earth Walk would be held on April 18,
4 2026 from 9:00 to 11:30 a.m. at Fernandez Park.
5

6 **L. NEXT MEETING**

7
8 1. Planning Commission Regular Meeting on April 27, 2026 at 7:00 p.m.
9

10 **M. ADJOURNMENT: 8:26 p.m.**

11 Transcribed by:

12
13 Sherri D. Lewis
14 Transcriber
15