

**CITY OF SAN PABLO
PLANNING COMMISSION MINUTES
FEBRUARY 27, 2018
CITY COUNCIL CHAMBERS
ONE ALVARADO SQUARE
SAN PABLO, CA**

ROLL CALL

Chairperson Xavier called the meeting to order at 6:30 p.m. Call of the roll showed present: Commissioner Gantt, Vice Chair Feliciano, Chairperson Xavier, Commissioner Shi, and Commissioner Harlan-Ogbeide. Staff present at the meeting included: Sarah Maroof, Administrative Secretary; Rod Simpson, Consulting Planner; Lynn Tracy Nerland, City Attorney; and Sandra Marquez, Assistant Planner.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Vice Chair Feliciano made a motion to approve the minutes for the meeting of January 23, 2018. The motion was seconded by Commissioner Shi and approved by a vote of 3-0-0-2, with Commissioners Gantt and Harlan-Ogbeide abstaining as neither was present at the meeting of January 23, 2018.

AYES: Feliciano, Xavier, Shi
NOES: None
ABSENT: None
ABSTAIN: Gantt, Harlan-Ogbeide

PUBLIC HEARINGS

PLAN1711-0036: Consideration of a Conditional Use Permit for an on-site alcohol license for beer and wine only for a new restaurant, Burgerim, at 2300 El Portal Drive, San Pablo, CA 94806, APN 416-160-039. The property is within the San Pablo Avenue Specific Plan and has the Neighborhood Commercial land use designation. It has been determined that the proposed project is exempt from the California Environmental Quality Act (CEQA), consistent with the provisions of CEQA Guidelines Section 15301, Class 1, Existing Facilities. Class 1 addresses an existing private structure, such as this recently renovated building, where a restaurant will be operating.

Assistant Planner Marquez gave a presentation of the project and staff recommendations, after which the Planning Commissioners were invited to ask questions of staff and/or the applicant's representative.

Chairperson Xavier asked for clarification whether the new restaurant, Burgerim, would be in Suite F or Suite G at 2300 El Portal Drive. Both the applicant and Assistant Planner Marquez confirmed that the staff report and resolution correctly identified the location as Suite F.

Commissioner Harlan-Ogbeide requested further information regarding the required Alcohol Beverage Control training and timing. Assistant Planner Marquez responded that the training was provided online by the Alcohol Beverage Control agency, and that one of the conditions of approval of this project was

that all current and future employees would attend one free License Education on Alcohol and Drugs (LEAD) training within one month of hire date. Commissioner Shi asked whether the Police Department had any comments regarding the serving of alcohol on the premises. Assistant Planner Marquez reported that, since the location of the project was not in an area with an undue concentration in alcohol licenses or in an identified high crime area, a determination to demonstrate public convenience or necessity was not required in this case. Assistant Planner Marquez stated that the project had been routed to the Police Department for review and comment before the staff report was finalized, and they had provided conditions of approval, which were included in the staff report and resolution.

The Public Hearing was opened. The applicant's representative, Cynthia Watkins, stated that she is one of three owners of the Burgerim restaurant at 2300 El Portal Drive along with her son and her niece, applicant Jayvon Muhammad, who is the primary managing partner. Commissioner Harlan-Ogbeide suggested that, whenever possible, the applicant should attempt to have future employees undergo the Alcohol Beverage Control LEAD training before the employment start date, or as soon as possible after the hire date, rather than waiting until near the end of the 30-day period of compliance. The applicant agreed to take this recommendation to the other owners and, when possible, comply with this recommendation. There being no further speakers, the Public Hearing was closed.

Commissioner Gantt made a motion to adopt Resolution 18-02 approving PLAN1711-0036, a conditional use permit for an on-site beer and wine license for a new restaurant, Burgerim, at 2300 El Portal Drive Unit F, APN 416-160-039 as recommended by staff. The motion was seconded by Commissioner Harlan-Ogbeide and passed by a vote of 5-0.

AYES: Xavier, Shi, Feliciano, Gantt, Harlan-Ogbeide
NOES: None
ABSENT: None
ABSTAIN: None

NEW BUSINESS

Consulting Planner Simpson reported that, per City Council Ordinance 18-009, adopted by City Council February 5, 2018, and effective March 7, 2018, the regularly Planning Commission meetings have been moved from third Tuesday of the month to the fourth Tuesday of the month. Consulting Planner Simpson directed the Commissioners' attention to a Memorandum included in their agenda packets listing the scheduled dates of the regular Planning Commission meetings in 2018, with the change to the fourth Tuesday of each month. It was noted that, since the fourth Tuesday of December 2018 falls on a holiday, Christmas Day, that regular meeting on December 25 is cancelled, and, if there are agenda items going forward that month, a special meeting could be scheduled in December.

STAFF UPDATES

Consulting Planner Rod Simpson reviewed the following items:

- Development Services Monthly Report
- Housing Element Annual Progress Report 2017.
- Certificates of Appreciation for outgoing Planning Commissioners Matthew Trujillo and Jeffrey Inglis.

- AB 1234 ethics training certification is due from the following Planning Commissioners prior to participation in 2018 Planning Commissioners Academy:
 - o Chair Xavier
 - o Commissioner Gantt
 - o Commissioner Harlan-Ogbeide
- Hard copies of the following General Plan and Specific Plan documents were provided for each Planning Commissioner:
 - o San Pablo General Plan 2030
 - o San Pablo Avenue Specific Plan
 - o 23rd Street Specific Plan
 - o Mixed Use Center South Regulating Code

PLANNING COMMISSION REPORTS

There were no Planning Commission reports.

ADJOURNMENT

There being no further business, Commissioner Gantt made a motion, seconded by Commissioner Harlan-Ogbeide, and passed by a vote of 5-0, to adjourn the meeting. Chairperson Xavier adjourned the meeting at 7:01 p.m. to the March 27, 2018 meeting.



Rita Xavier
Chairperson

 FOR

Reina J. Schwartz
Assistant City Manager