



City of San Pablo Planning Commission **AMENDED AGENDA**

Wednesday, January 23, 2019 at 6:30 pm

City Hall Council Chambers, Building 2

13831 San Pablo Avenue, San Pablo, CA 94806

Amended Agenda to reflect additional Planning Commission member and the action item of electing a chair and vice-chair as shown in italics.

Roll Call **Roberta Feliciano, Vice-Chair**
Dr. Charlene Harlan-Ogbeide
Yuhong Shi
Dorothy Gantt
Paul Morris

Pledge of Allegiance

Introductions Introduction of staff members.

Public Comment This is the time for comments on any item within the Planning Commission’s jurisdiction, if such item is NOT listed on the agenda. Anyone who wishes to address the Planning Commission on a topic that is not on the agenda is requested to give a speaker form to staff. There is a 3-minute limit on public comments (6-minute limit w/translation). Comments on agenda items will be heard when that item is called.

Meeting Procedures Members of the public attending a Planning Commission meeting for the first time are encouraged to read the “Meeting Procedures” information following the agenda.

Consent Calendar The Consent Calendar includes routine items that are to be enacted by one motion. There will be no separate discussion of these items. If discussion is requested, the item will be removed from the Consent Calendar and considered separately.

- Item number(s):**
- 1. Approval of Minutes**
From the meeting held on November 27, 2018
 - 2. Approval of the Agenda**
At the discretion of the Chair, items on the agenda may be heard in an order different from that which appears on the agenda.

Action Item ***Election of Chair and Vice Chair***

Appeal Date The appeal date for actions taken by the Board at this meeting is no later than 6:00 p.m. on **Wednesday, February 6, 2019.**

Public Hearing(s)

1. PLAN1809-0017

CONDITIONAL USE PERMIT FOR A CHECK-CASHING USE

Conditional Use Permit, PLAN1809-0017, a request for approval of a Conditional Use Permit to operate a check-cashing business in an existing commercial building at 1752 #1754 Rumrill Blvd. (APN 527-021-010). The property is zoned Commercial Mixed Use. This project is exempt under the California Environmental Quality Act, Section 15301, Class 1, Existing Facilities,

Location	1752 #1754 Rumrill Blvd.
APN	410-268-008
Zoning	Commercial Mixed Use
CEQA	Categorical exempt under Section 15301, Existing Facilities.
Owner	Roberto Rolon
Applicant	Sergio Perera- Dolex Dollar Express Inc.
Agent for Applicant	Sergio Perera
Staff Contact	Sandra Marquez, Assistant Planner
Recommendation	CONDITIONAL APPROVAL

Study Session/ Discussion	A.	Zoning Ordinance Update Study Session: Summary of Topics of Zoning Update Presented by Elizabeth Dunn, Planning Manager
Staff Updates	A.	Announcements
	B.	Community & Economic Development Department project status
Commissioner Updates	A.	Commission member reports regarding meetings or conferences
	B.	Announcements
Adjournment		The next meeting of the City of San Pablo Planning Commission is scheduled on Tuesday, February 26, 2019.

ADA In accordance with the Americans with Disabilities Act, persons requiring assistance or auxiliary aids in order to participate should contact the Planning Division at 13831 San Pablo Avenue, Building 3, San Pablo, CA 94806, telephone (510) 215-3030, email ElizabethD@SanPabloCA.gov, as soon as possible prior to the meeting. The City will give such requirements primary consideration, taking into account undue financial and administrative burdens or fundamental alterations in the City service, program or activity.

Records Copies of this agenda and non-exempt records relating to an open session item on this agenda will be available for public review at the City Clerk’s office, 13831 San Pablo Avenue, Building 1, at the same time they are distributed or made available to the Commission.

Meeting Procedures **Function of a Public Hearing** A public hearing is intended to inform the public of pending proposals and to enable members of the public to present relevant information and viewpoints before any Planning Commission action. The Planning Commission encourages community participation at its meetings and has established procedures that are intended to accommodate public input in a timely manner as follows.

Speaker Registration Persons wishing to speak on a particular item on the agenda are requested to submit a speaker form with the staff prior to the Planning Commission’s consideration of the item. The Planning Commission Chairperson will invite you to speak at the appropriate time when the matter is being considered.

Consent Calendar Applications that are considered routine by the Staff have been placed on the consent calendar with a recommendation to approve, conditionally approve, or continue the item to a date certain. The Planning Commission may act in one motion to adopt the staff recommendations on those items.

Prior to voting on the consent calendar, the Chair will ask if any member of the public wishes to speak on any of the items listed on the consent calendar. If you wish to speak, please rise and request that the agenda item be removed from the consent calendar. Items removed will be discussed in the numerical order listed on the agenda.

Public Hearing Procedure

1. Chair identifies the agenda item and explains any deviation from the standard speaker rules.
2. Staff presents a brief project summary and makes a preliminary recommendation.
3. Planning Commission members may ask questions of Staff regarding the proposal.
4. Chair opens the public hearing.
5. Applicant is invited to describe and explain the proposal..... 5 minute limit*
6. Registered speakers..... 5 minute limit*
7. Applicant may make rebuttal comments..... 3 minute limit*
*All time limits shall be doubled if translation is needed.
8. Planning Commission members may ask follow-up questions of the speakers at any time.
9. Staff presents a final summary and recommendation.
10. Planning Commission members discuss the proposal and vote either to close or to continue the public hearing to a specific date.
11. If the public hearing is closed, Planning Commission members further discuss the proposal and vote to approve, to approve with conditions, or to deny the application.

12. Chair informs the audience of the Planning Commission's action and appeal process.

Appeals Decisions of the Planning Commission may be appealed to the City Council within ten (10) days. Appeals must be submitted to the City Clerk's office in writing and must indicate the reasons that the Planning Commission's action should be reversed.

Legal Challenge Notice If you challenge a decision on any of the items on this agenda in court, you may be limited to only those issues you or someone else raised at any public hearing on the item challenged, or in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing.

Meeting Time Limits If all of the agenda items are not completed by 9:00 PM, the items remaining shall be continued to the next regular meeting unless the Planning Commission votes to extend the meeting.

Staff Reports and Tentative Recommendations Copies of the staff reports for the public hearing items on this agenda can be viewed on the City of San Pablo's website at:

<http://www.ci.san-pablo.ca.us/875/Planning-Commission>

Go to: Agendas>Most Recent Agenda (for current agenda)

Cell Phones Please silence all cell phones, pagers, and other electronic devices during the meeting.

Assistance

Any questions related to the Planning Commission hearing, Zoning, or related planning activities can be directed to the San Pablo City Planning Division at (510) 215-3030.

* **If you need Spanish language assistance, please contact the Community & Economic Development Department at (510) 215-3030.**

* **Si necesita asistencia en español, por favor contacte al Departamento de Desarrollo Comunitario y Económico al (510) 215-3030.**



City of San Pablo Planning Commission MINUTES

Tuesday, November 27, 2018 at 6:30 pm
City Hall Council Chambers, Building 2
13831 San Pablo Avenue, San Pablo, CA 94806

Roll Call

Chairperson Xavier called the meeting to order at 6:30 p.m. Call of the roll showed present: Commissioner Shi, Chairperson Xavier, Commissioner Gantt and Commissioner Harlan-Ogbeide. Vice Chair Feliciano was absent. Staff present at the meeting included: Michelle Chavez, Administrative Secretary; Elizabeth Dunn, Planning Manager; Sandra Marquez, Assistant Planner; Lynn Tracy Nerland, City Attorney; Charles Ching, Community & Economic Development Director.

Public Comment

None.

Meeting Procedures

Members of the public attending a Planning Commission meeting for the first time were encouraged to read the "Meeting Procedures" information following the agenda.

Consent Calendar

1. **Approval of the Minutes**
2. **Approval of the Agenda**

Commissioner Gantt made a motion to approve the Consent Calendar, including the revised minutes for the meeting of October 23, 2018. The minutes were revised to state that the meeting was adjourned to the November 27, 2018 meeting (corrected from October 23, 2018). The motion was seconded by Commissioner Shi and approved by a vote of 4-0-1 with Commissioner Feliciano absent.

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

Appeal Date

Chairperson Xavier announced that the appeal date for actions taken by the Board at this meeting would be no later than 6:00 p.m. on **Tuesday, December 11, 2018.**

Public Hearing(s)

1. PLAN1707-0010

CONDITIONAL USE PERMIT FOR A MOBILE VENDING USE

Conditional Use Permit, PLAN1707-0010, a request for approval of a Conditional Use Permit to operate a mobile vending truck in the parking lot of an existing office business at 1436/1440 23rd St (APN 527-021-010). The request also includes outdoor

seating. The property is zoned Commercial Mixed Use. This project is exempt under the California Environmental Quality Act, Section 15332, Infill Projects.

Location	1436/1440 23 rd Street
APN	527-021-010
Zoning	Commercial Mixed Use
CEQA	Categorical exempt under Section 15332, Infill Projects
Owner	Erhan Sariyar
Applicant	Luis Cabrera and Jennifer Martinez
Agent for Applicant	Luis Cabrera
Staff Contact	Sandra Marquez, Assistant Planner
Recommendation	CONDITIONAL APPROVAL

Assistant Planner Marquez gave a presentation of the project and staff recommendations, after which the Planning Commissioners were invited to ask questions of staff. Commissioner Gantt inquired if parking will be available onsite. Assistant Planner Marquez informed the Commission that there are two onsite parking spaces: one for the office staff and one for the mobile vending truck. The zoning requirement for the Mobile Vending business is one onsite parking space.

A public hearing was opened. Jennifer Martinez, the owner of the mobile vending truck, inquired if the Commissioners had any questions. Commissioner Harlan-Ogbeide inquired if there were other food trucks in the area. Ms. Martinez noted that there were other food trucks on 23rd Street, with customer parking on the street. Moises Martinez, a local business owner of Raza Smog, spoke in support of approval of a Conditional Use Permit. Janet Pottier commented on a potential garbage problem and recommended that there be sufficient receptacles that should be emptied frequently, thus stopping trash from overflowing and littering the streets. She was neutral in regards to an approval of a Conditional Use Permit. Planning Manager Dunn mentioned a letter the City received from Maria Mendoza, owner of San Pablo Billiards. Ms. Mendoza's concern is that her business will experience a hardship steering customers away from her business and the vending truck would pose a parking issue for customers. The public hearing was closed.

Commissioner Gantt made a motion, seconded by Commissioner Harlan-Ogbeide, to adopt Resolution 18-14 for approval of a Conditional Use Permit for mobile vending at 1436/1440 23rd Street. The motion was approved by a vote of 4-0-1, with Commissioner Feliciano absent.

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

Study Session/Discussion

A. Zoning ordinance Update Study Session: Wall signage for commercial buildings

Planning Manager Dunn led a Study Session, PLAN1808-0016, regarding possible updates to the San Pablo zoning ordinance, revising the language for the square footage of wall signage for commercial buildings. Moises Martinez, owner of Razza Smog, was allowed to display a small sign, whereas other companies in the same building are allowed to have larger signs. He doesn't understand why his sign is required to be small in comparison. Commissioner Shi posed a question as to why there are limitations for size of signage. Planning Manager Dunn commented that signage on commercial buildings are an advertisement for the business, but should not overwhelm the building. City Attorney Nerland reminded the Planning Commission that sign criteria is meant to be objective with regards to size restrictions. What one person deems beautiful versus another sign is subjective. A public hearing will be set in 2019 for all revisions to the Zoning Ordinance for consideration by the Planning Commission and a recommendation to the City Council.

Commissioners Harlan-Ogbeide, Shi, Gantt and Xavier voiced no objection to staff proceeding with the recommended updates.

Staff Updates

Planning Manager Dunn informed that the Lao Family is having a grand opening for their new care center in Oakland on December 8, 2018.

Commissioner Updates

None

Adjournment

There being no further business, Commissioner Gantt made a motion, seconded by Commissioner Harlan-Ogbeide and passed by a vote of 4-0-1, to adjourn the meeting.

Chair Xavier adjourned the meeting at 7:10 p.m. to the January 23, 2019 meeting.

Rita Xavier, Chairperson

Charles Ching, Secretary

Planning Commission Staff Report

PREPARED BY: Sandra Marquez, Assistant Planner

DATE: January 23, 2019

SUBJECT: TO CONSIDER A CONDITIONAL USE PERMIT TO ALLOW A CHECK-CASHING USE AT 1754 RUMRILL BLVD. IN THE CMU (COMMERCIAL MIXED USE) ZONING DISTRICT, APN 410-268-008

PROJECT TITLE AND REQUEST

Conditional Use Permit, PLAN1809-0017, a request for approval of a Conditional Use Permit to operate a check-cashing business in an existing commercial building at 1754 Rumrill Blvd.

STAFF RECOMMENDATION

Approve Planning Commission Resolution 19-01 approving PLAN1809-0017, subject to findings and conditions of approval.

BACKGROUND

- Property Owner: Roberto Rolon
- Applicant: Sergio Perera- Dolex Dollar Express Inc.
- Location: 1754 Rumrill Blvd.
- Assessor Parcel Number: 410-268-008
- General Plan Designation: Commercial Mixed Use
- Zoning District: Commercial Mixed Use

Surrounding Zoning and Land Uses:

- North: CMU- Commercial Mixed Use
- South: CMU- Commercial Mixed Use
- East: CMU- Commercial Mixed Use & R-2- Two-Family Residential
- West: CMU-Commercial Mixed Use

SITE AND PROJECT DESCRIPTION

The applicant requests a Conditional Use Permit to operate a check-cashing business in an existing commercial building at 1754 Rumrill Blvd. (APN 410-268-008) in the CMU (Commercial Mixed Use) Zone. The proposed business currently operates within the same block around the corner at 1300 Market Ave., and it is proposing to relocate to the vacant commercial space at 1754 Rumrill Blvd. This business would operate Monday through Friday 8:30 a.m.- 7:30 p.m. and Saturday to

Sunday 9:00 a.m.- 6:00 p.m. The business offers other financial services including money transfers, loan products, sale of money orders, bill payments, and international phone reloads in addition to check-cashing.

The existing property contains a mixed-use building with four (4) commercial units on the ground floor and two (2) residential units on the second floor. There are three (3) commercial units facing Rumrill Blvd including a beauty salon, an appliances repair store and the vacant unit where the check-cashing business is proposed. The other commercial unit is in the rear of the property and holds an auto repair business. The property owner also owns the adjacent property to the south (APN 410-268-012) which serves as a parking lot for the commercial units. The parking lot can accommodate 13 customer parking spaces and five of those spaces are assigned for the new check-cashing business. A condition of approval will be assigned stating that an executed and recorded parking easement or other recorded document accepted by the city must be established between properties (APN 410-268-008 and APN 410-268-012) prior to a business license issuance.

Section 17.54.030, Nonresidential off-street parking requirements, requires one (1) space per 300 sq. ft. of office area for this type of use. The commercial unit is approximately 1300 sq. ft., including the lobby, the office, storage area, and restroom. The draft lease agreement between the owner and tenant clearly state that the tenant has the right to access the parking lot and that five spaces are designated (see attachment F). Additionally, there is on-street parking in front of the building. The building and the parking lot are existing and may not conform with all development standards in the most recent zoning code, including the covered off street parking requirement for the two residential units. However, the commercial unit is vacant and staff believes that the proposed use is adequate for the site.

CONDITIONAL USE PERMIT

Through the Use Permit process, the Planning Commission is given an opportunity to review uses with this classification, impose conditions of approval, approve or deny such proposals, and set terms for revocation of uses. In approving the Use Permit for the check cashing business, the Planning Commission shall make a finding that the establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

This application was routed to the Police Department for review. The Police Department has provided conditions of approval for the request for the check-cashing use. These conditions are included below:

- 1- The business must have security cameras installed. The security cameras must remain continuously operable during business hours, maintained for 96 hours and given over to PD upon request.
- 2- A sign must be installed in the lobby to limit public access to the office area. The Planning division shall review and approve the sign and the approved sign must be installed during the business license inspection and before the business begins operating.

GENERAL PLAN CONFORMANCE

The site is designated on the General Plan as Commercial Mixed Use. The proposed use is consistent with the following policies:

LU-I-20 Allow small-scale non-residential uses in neighborhoods that contribute to the residential character of an area or provide complementary services within the neighborhood, such as child care, neighborhood retail, and other stores.

Dolex Financial Services would serve residents and employees in the area and the variety of services offered are complementary to the neighborhood.

LU-I-31 Establish zoning standards, including maximum size and separation requirements, for any commercial land use type that could adversely affect adjacent residential areas or create health and safety impacts.

The Zoning Ordinance contains standards for check cashing businesses and payday loan businesses. No check cashing business or payday loan business shall be established within one thousand feet of another check cashing or payday loan business. The proposed establishment is not within one thousand feet of another check cashing business.

ZONING CONFORMANCE

The proposed business is subject to Zoning Ordinance Section 17.62.050 Check Cashing business and Payday Loan business.

The purpose is to establish site planning, development, and/or operating standards for check cashing and payday loan businesses in order to mitigate any potential adverse impacts to the surrounding land uses (Attachment E).

The proposed business complies with the requirements outlined in Section 17.62.050 for Check Cashing businesses and Payday Loan businesses.

ANALYSIS

The check cashing is consistent with the provisions of the Zoning Ordinance for Check cashing with conditions of approval. Following is a summary of relevant issues:

1. **Location:** Section 17.62.050 (C) states that check cashing and payday loan business shall be allowed only as indicated in Division III, Zoning Districts, Allowed Uses, Development Standards. Additionally, no check cashing business or payday loan business shall be established within one thousand feet of another check cashing business or payday loan business, including those check cashing businesses or payday loan businesses located within other establishments. The proposed location for the business, Dolex Dollar Express, complies with all location requirements.
2. **Surveillance:** As recommended by the San Pablo Police Department, a condition of approval will require the business to establish surveillance system to reduce risk of possible crime. The business must have security cameras installed. The security cameras must

remain continuously operable during business hours, maintained for 96 hours and given over to PD upon request.

3. Hours of operation. The proposed hours of operations are Monday through Friday 8:30 a.m.- 7:30 p.m. and Saturday to Sunday 9:00 a.m.- 6:00 p.m. The proposed hours seem to be adequate for the business.
4. Parking: The adjacent property serves as a parking lot for the commercial units located at 1752 Rumrill Blvd. The lease agreement between the business owner and property owner indicated that Dolex Dollar Express had five (5) designated parking spaces in the parking lot. A condition of approval will be assigned stating that an executed and recorded parking easement or other recorded document accepted by the city must be established between properties (APN 410-268-008 and APN 410-268-012) prior to a business license issuance.

FINDINGS

In order to grant this Use Permit, after the conclusion of the public hearing, the Planning Commission shall make a finding of facts showing that the following conditions exist:

- A. The proposed project has been determined to be categorically exempt from the provisions of CEQA, in accordance with CEQA Guidelines pursuant to Section 15301, Class 1, Existing Facilities.
- B. Public notice of hearing has been given by mail to the applicant, local affected agencies and to all property owners within 300 feet of the subject property and has been published in the East Bay Times in accordance with the requirements of Government Code section 65905.
- C. The proposed location complies with section 17.62.050 Check cashing businesses and payday loan businesses requirement that no check cashing business or payday loan business shall be established within one thousand feet of another check cashing business or payday loan business, including those check cashing businesses or payday loan businesses located within other establishments.
- D. That the establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city because the property is zoned CMU (Commercial Mixed Use) and a check cashing business provides a service to this industrial and commercial area. The use complies with the development standards for check cashing.

ENVIRONMENTAL DOCUMENTATION

The proposed project has been determined to be categorically exempt from the provisions of CEQA, in accordance with CEQA Guidelines pursuant to Section 15301, Class 1, Existing Facilities.

PUBLIC HEARING NOTICE

Public notice of the hearing has been given by mail to the applicant, and local affected agencies, in accordance with the requirements of Government Code Section 65905.

Notices were mailed to owners of properties within a 300-foot radius of the site. The notices were mailed on January 10, 2019. In addition, a public hearing notice was published in the East Bay Times newspaper on January 12, 2019.

ATTACHMENTS

- A. Resolution 19-01
- B. Letter of Explanation
- C. Proposed Site Plan
- D. Site Photos
- E. Zoning Ordinance Section 17.62.050 Check Cashing business and Payday Loan business
- F. Draft Lease- Parking right excerpt
- G. Legal Notice Proof of Publication

PLANNING COMMISSION RESOLUTION 19-01

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN PABLO APPROVING A USE PERMIT FOR A CHECK CASHING USE AT 1754 RUMILL BULEVARD IN THE CMU (COMMERCIAL MIXED USE) ZONE, APN 410-268-008.

WHEREAS, Zoning Code section 17.34.030 F. requires a Conditional Use Permit for check cashing in the Commercial Mixed use (CMU) zone; and

WHEREAS, 1754. is currently developed with a mixed use building with four commercial spaces on the ground floor level and two residential units on the second floor, and it is zoned Commercial Mixed Use; and

WHEREAS, the applicant is proposing a check cashing and other financial services business in one of the commercial units with five designated off street parking spaces; and

WHEREAS, the proposed use is consistent with the City of San Pablo General Plan Policies LU I-20 and LU-I-31 in that the use provides a service to surrounding commercial and residential uses. The use is also consistent with Zoning Ordinance Section 17.62.050; and

WHEREAS, in order to approve a Use Permit for check cashing, the Planning Commission shall make findings that the proposed use will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the city; and

WHEREAS, pursuant to the California Environmental Quality Act, the proposed project has been determined to be categorically exempt from the provisions of CEQA, in accordance with CEQA Guidelines and pursuant to Section 15301, Class 1, Existing Facilities; and

WHEREAS, a public notice hearing has been given by mail to the applicant, local affected agencies and to all property owners within 300 feet of the subject property, and has been published in the East Bay Times in accordance with the requirements of Government Code Section 65091.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of San Pablo has reviewed the proposed project and approves this proposal for a use permit for check cashing based on the following findings:

- A. The proposed project has been determined to be categorically exempt from the provisions of CEQA, in accordance with CEQA Guidelines pursuant to Section 15301, Class 1, Existing Facilities.

The project has been determined to be exempt under CEQA, Section 15301,

Class 1, Existing Facilities. The proposed check cashing use meets the requirements described in Section 15301, Class 1, under CEQA Categorical Exemption.

- B. That the establishment, maintenance or operation of the use will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the city.

The property is zoned CMU (Commercial Mixed Use) and a check cashing business provides a service to residents and employees of this commercial mixed-use area. The use complies with the development standards for check cashing businesses and payday loan businesses.

- C. The proposed location complies with section 17.62.050 Check cashing businesses and payday loan businesses requirement that no check cashing business or payday loan business shall be established within one thousand feet of another check cashing business or payday loan business, including those check cashing businesses or payday loan businesses located within other establishments.

The proposed location for the check cashing establishment is not within one thousand feet of another check cashing or payday loan business. The use complies with the development standards for check cashing businesses and payday loan businesses.

- D. Public notice of the hearing has been given by mail to the applicants, local affected agencies, all property owners within 300 feet of the subject property, and has been published in the East Bay Times, in accordance with the requirements of Government Code Section 65905.

Notices were mailed to owners of properties within a 300-foot radius of the site. The notices were mailed on January 10, 2019. In addition, a public hearing notice was published in the East Bay Times newspaper on January 12, 2019.

BE IT FURTHER RESOLVED that the Planning Commission of the City of San Pablo hereby approves this application for a Use Permit (PLAN1809-0017) for a check cashing use based upon the following Conditions of Approval:

1. The Use Permit for the check cashing business is effective after the appeal period has elapsed.
2. The use shall be conducted in substantial compliance with the plans and application submitted to the Community and Economic Development Department, PLAN1809-0017. Minor amendments to this Conditional Use Permit may be approved by the Zoning Administrator if it is determined the overall intent of the permit is fulfilled.

3. An executed and recorded parking easement or other recorded document accepted by the city must be established between properties (APN 410-268-008 and APN 410-268-012) prior to a business license issuance. Should parking or access to the property at 1754 Rumrill Blvd. (APN 410-268-008) be unavailable at any time, then this conditional use permit shall be suspended and applicant must cease operations until replacement parking is found that is approved in writing by the City of San Pablo.
4. Hours of operation are limited to the hours of Monday through Friday 8:30 a.m.- 7:30 p.m. and Saturday to Sunday 9:00 a.m.- 6:00 p.m.
5. The business must have security cameras installed. The security cameras must remain continuously operable during business hours, maintained for 96 hours and given over to PD upon request.
6. A sign must be installed in the lobby to limit public access to the office area. The Planning division shall review and approve the sign and the approved sign must be installed during the business license inspection and before the business begins operating.
7. Maintain a current business license issued by the City of San Pablo at all times.
8. Non-compliance of the conditions of approval may result in revocation of the business license and use permit.
9. Indemnification: Pursuant to Government Code Section 66474.9, the applicant (including any agent thereof) shall defend, indemnify, and hold harmless the City of San Pablo and its agents, officers, or employees from any claim to attack, set aside, void or annul, the City's approval concerning this planning application, which action is brought within the time period provided for in Section 66499.37. The City will promptly notify the applicant of any such claim, action, or proceeding and cooperate fully in the defense.

BE IT FURTHER RESOLVED that the foregoing recitations are true and correct, and are included herein by reference as findings.

Adopted this 23th day of January 2019, by the following vote to with:

AYES: COMMISSIONERS:
 NOES: COMMISSIONERS:
 ABSENT: COMMISSIONERS:
 ABSTAIN: COMMISSIONERS:

ATTEST:

APPROVED:

Charles Ching
 Secretary

Planning Commission Chairperson



September 25, 2018

City of San Pablo
13831 San Pablo Avenue
San Pablo, CA. 94806

RE: Use permit

Dear Sirs:

We are pleased to submit this Letter of Explanation which sets forth the conditions under the Planning Application form, we would lease the vacant space in 1754 Rumrill Blvd. across from Market Avenue.

Our Company has been doing business in the City of San Pablo since 2001, Our focus has been and continues to be positioning DolEx as one of the leading Financial Services Companies in the industry.

Our core business is: Money Transfers, Check cashing, Loan Products, Sale of Money Orders, Bill Payments and international phone reloads.

The business store schedule would be as follow:

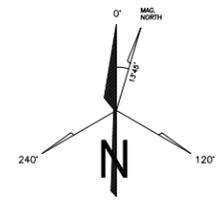
Sunday		Monday		Tuesday		Wednesday		Thursday		Friday		Saturday	
9:00	18:00	8:30	19:30	8:30	19:30	8:30	19:30	8:30	19:30	8:30	19:30	9:00	18:00

Three (3) Sales Associates will be covering the business; 1 Sales Associate at the morning shift, 2 Sales Associate at the afternoon shift.

If this permit is granted, we would be able to execute the lease agreement for the location before mentioned.

We appreciate if you require further information regarding this application, please do not hesitate to contact me.


Sergio Perera | Regional Director
Office: 510-881-2074 |
Cell: 510-755-5554 |
Fax: 510-889-9254
sergio.perera@dolex.com | www.dolex.com



Prepared For:
DOLEX
 220 A STREET
 HAYWARD, CA 94541

Prepared For:

Site Number:
 Site Name:
 Site Address:
**1754 RUMRILL BOULEVARD
 SAN PABLO, CA 94806**
 County:
CONTRA COSTA COUNTY

Engineer:

Licenser:

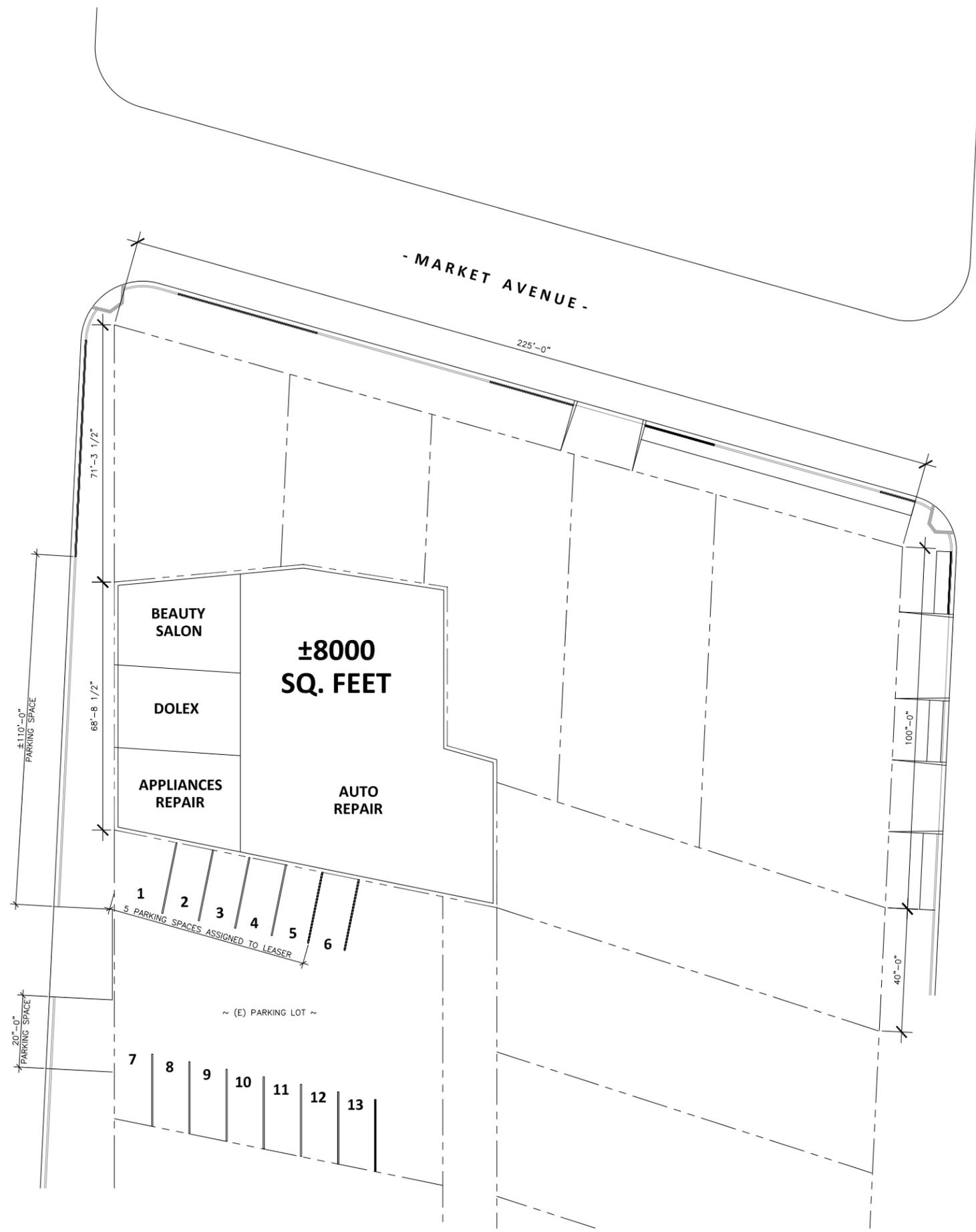
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Issued For:
PERMIT

REV	DATE	DESCRIPTION	BY
4	12/05/18	SUBMITTAL	FG
3	11/26/18	SUBMITTAL	FG
2	11/14/18	SUBMITTAL	FG
1	11/12/18	SUBMITTAL	FG
B	11/01/18	100% FOR REVIEW	FG
A	10/08/18	90% FOR REVIEW	FG

Sheet Title:
OVERALL SITE PLAN

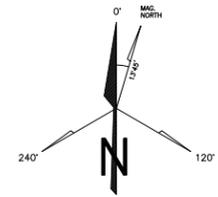
Sheet Number:
A-1



1 OVERALL SITE PLAN

SCALE: 3/32" = 1'-0"
 0' 4' 8' 16' 32'
ATTACHMENT C

LEASE AREA ±1300 SQ. FEET



Prepared For:
DOLEX
220 A STREET
HAYWARD, CA 94541

Prepared For:

Site Number:

Site Name:

Site Address:

1754 RUMRILL BOULEVARD
SAN PABLO, CA 94806

County:
CONTRA COSTA COUNTY

Engineer:

Licensor:

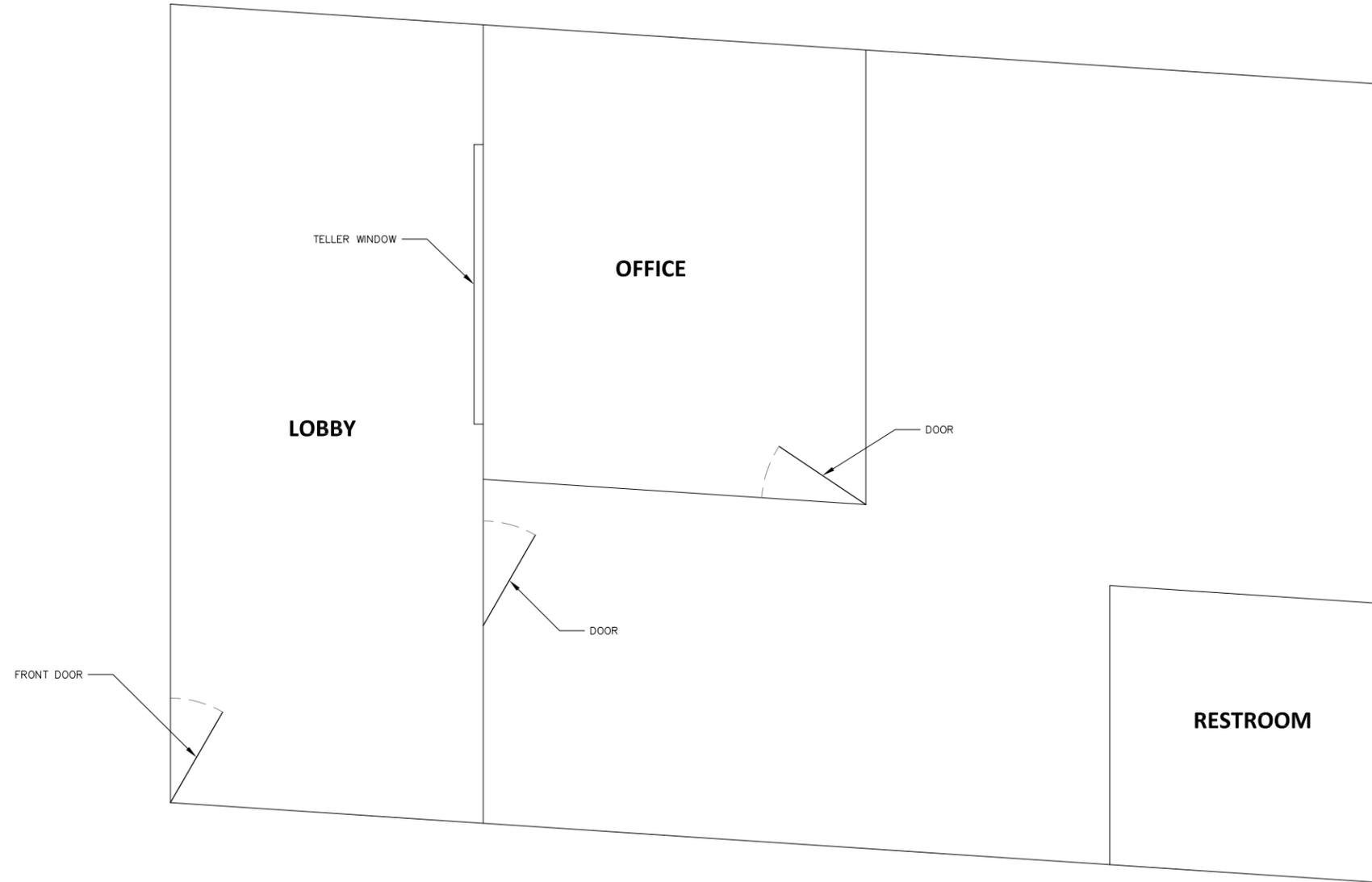
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

Issued For:
PERMIT

REV	DATE	DESCRIPTION	BY
4	12/05/18	SUBMITTAL	FG
3	11/26/18	SUBMITTAL	FG
2	11/14/18	SUBMITTAL	FG
1	11/12/18	SUBMITTAL	FG
B	11/01/18	100% FOR REVIEW	FG
A	10/08/18	90% FOR REVIEW	FG

Sheet Title:
LEASE AREA

Sheet Number:
A-2



1 LEASE AREA

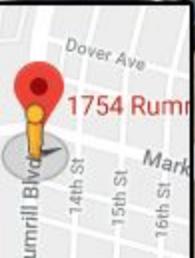




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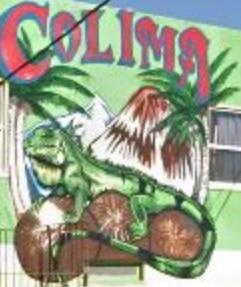
CITIC
CENTER



ATTACHMENT D



COLIMA



COLIMA
FOTO ALFARIN

RUMBLING BELL

Dover Ave
1754 Ru
Ma
14th St
15th St
16th St

1. There shall be at least eight hundred square feet of gross floor area per each game, except that taverns or operations licensed by the California Department of Alcoholic Beverage Control for on-sale consumption of alcoholic beverages may have up to three games regardless of the gross square foot floor area of the establishment; provided, that such tavern or operation prohibits the presence of minors at all times.
2. Each game shall be properly licensed by the city clerk.
3. Minors (under the age of eighteen years) shall be restricted from operating any such game during normal school hours and after curfew as set down in Section [9.32.010](#), unless accompanied by a parent, legal guardian, or other adult person having the legal care and custody of such minor.

C. Major Arcades. Uses classified as recreation—major arcades in Division VI, Glossary, shall be subject to the following provision:

1. Minors (under the age of eighteen years) shall be restricted from operating any such game during normal school hours and after curfew as set down in Section [9.32.010](#), unless accompanied by a parent, legal guardian, or other adult person having the legal care and custody of such minor.
2. Internet “cafe” gaming is not an allowed use. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.62.040 Automotive repair.

A. Purpose. This section applies to all uses classified as automotive, general repair and automotive, limited repair and provides development standards to reduce the off-site impact from typical repair activities.

B. Location of Work. All repair work shall be conducted indoors.

C. Inoperable Vehicles. Any inoperable vehicle shall not be stored outdoors for more than fifteen consecutive days. Such storage is limited to vehicles awaiting repair or servicing.

D. Operable Vehicles. Operable vehicles may be stored outdoors only when awaiting repairs or servicing, or when awaiting pickup by the customer after repairs or servicing have been completed. The maximum period such vehicle shall be stored outdoors is thirty days in any twelve-month period.

E. Outdoor Storage. Outdoor storage shall comply with the provisions of Chapter [17.52](#), Outdoor Sales, Storage and Seating. In addition, outdoor storage of motor vehicle parts, lubricants, paints, solvents, chemicals, or portions of vehicles is prohibited.

F. Trash. Trash shall be removed at least weekly.

G. Impacts. Paint or fumes from the repair operation shall not cross over the line of any parcel zoned or used for a residential use. The repair operation also shall comply with applicable air and water quality regulations and laws. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.62.050 Check cashing businesses and payday loan businesses.

A. Purpose. The purpose of this section is to establish site planning, development, and/or operating standards for check cashing businesses and payday loan businesses. It is the city’s intent, in establishing these standards, to mitigate the potential adverse impacts of this use and activities on adjacent and surrounding land uses.

B. Findings. To approve an application for a check cashing business or payday loan business, the planning commission must, in addition to the general use permit findings set forth in Section [17.20.040](#), Conditional use permit, find that the proposed use will not be detrimental to the peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such use or be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the city.

C. Location. Check cashing businesses and payday loan businesses within the city shall be allowed only as indicated in Division III, Zoning Districts, Allowed Uses, and Development Standards. No check cashing business or payday loan business shall be established within one thousand feet of another check cashing business or payday loan business, including those check cashing businesses or payday loan businesses located within other establishments.

D. Distance. The distances set forth above shall be measured as a radius from the primary entrance of the building in which the check cashing business or payday loan business is located, or is to be located, to the exterior building entrance of the corresponding check cashing business or payday loan business without regard to intervening structures.

E. Accessory Uses. A check cashing business or payday loan business occupying or leasing space within another establishment as an accessory use shall be subject to the regulations of this section. This provision shall apply only to new check cashing businesses or payday loan businesses and not to existing check cashing businesses or payday loan businesses at the time of adoption of the ordinance codified in this section.

F. Use Permit Conditions. The planning commission may impose conditions as it deems necessary to protect the public health, safety, and welfare, including but not limited to the conditions identified in this chapter. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

17.62.060 Cottage food operation.

A. Purpose. State law (Assembly Bill 1616) requires that individuals be allowed to prepare and/or package certain foods in private-home kitchens referred to as cottage food operations (CFO).

B. Applicability. CFOs are allowed under the home occupation use class in the city of San Pablo. As defined by the California Department of Public Health, a "CFO" is an enterprise at a private home where low-risk food products are prepared or packaged for public consumption. A "cottage food operator" is an individual who operates a CFO in his or her private home and is the owner of the CFO. All cottage food operators will have to meet specified requirements pursuant to the California Health and Safety Code related to preparing foods.

1. Foods That Can Be Prepared by a CFO. Only foods that are defined as "non-potentially hazardous" are approved for preparation by CFOs. These are foods that do not require refrigeration to keep them safe from bacterial growth that could make people sick. The California Department of Public Health will establish and maintain a list of these approved foods on its website and will establish a process by which new foods can be added to the list and other foods can be challenged and removed. Generally these foods that do not require refrigeration include the following:

- a. Baked goods;
- b. Candy;
- c. Dry baking mixes;
- d. Granola, cereals, trail mixes;
- e. Honey;
- f. Jams, jellies, preserves;
- g. Popcorn.

C. Requirements. Business license and Contra Costa County environmental health department permit. (Ord. 2015-002 § 3 (Exh. 1)(part), 2015)

**EXERPT FROM DRAFT LEASE BETWEEN LANDLORD AND TENANT: ARTICLE 7, PARAGRAPH #4
“PARKING” AND PARAGRAPH #5 “PARKING EASMENT” AND EXHIBIT A**

ARTICLE 7. UTILITIES AND GARBAGE REMOVAL

Parking

§ 7.04. Landlord covenants that Landlord will allow Tenant, Tenant’s employees, and Tenant’s invitees to use Landlord’s available parking facilities in the same manner as Landlord, Landlord’s employees and Landlord’s invitees can use Landlord’s parking facilities.

[OR]

Parking Easement

§ 7.04. Throughout the lease term, including any extensions or renewals of the lease, Tenant and its officers, agents, employees, suppliers, invitees, and customers have a right to use the area marked “Parking Lot” on Exhibit A, attached to and incorporated into this lease, for vehicular parking and ingress to and egress from the premises, under the conditions set forth below. This right constitutes a nonexclusive easement and is shared in common and on the same terms with the other tenants in the _____ [building *or* office complex *or* center].

EXHIBIT A

A space of approximately 1,300 square feet and basement in the main traffic flow and with high visibility to the general public, which once agreed on by Landlord and Tenant cannot be changed without agreement by both Landlord and Tenant, within the premises at 1754 Rumrill Blvd., San Pablo, CA 94806.

West County Times

1050 Marina Way S
Richmond, CA 94804
(510) 262-2740

2015901

SAN PABLO CITY OF
CITY CLERK OFFICE
LEHNY CORBIN
13831 SAN PABLO AV BLDG #1
SAN PABLO, CA 94806

PROOF OF PUBLICATION FILE NO. PLAN1809-0017

In the matter of

West County Times

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter.

I am the Principal Legal Clerk of the West County Times, a newspaper of general circulation, printed and published in the City of Walnut Creek, County of Contra Costa, 94598

And which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Contra Costa, State of California, under the date of August 29, 1978. Case Number 188884.

The notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

01/12/2019

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Executed at Walnut Creek, California.
On this 14th day of January, 2019.



Signature

Legal No.

0006279040



CITY OF SAN PABLO
City of New Directions

CITY OF SAN PABLO NOTICE OF PUBLIC HEARING WEDNESDAY, JANUARY 23, 2019

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of San Pablo, State of California, will hold a public hearing on the following item:

PLAN1809-0017: Consideration of a Conditional Use Permit to allow a check-cashing use at 1752 #1754 Rumrill Blvd. San Pablo, CA (APN 410-268-008) in the CMU (Commercial Mixed Use) Zoning District. The proposed check-cashing business currently operates within the same block around the corner at 1300 Market Ave., and it is proposing to relocate to the vacant commercial space at 1754 Rumrill Blvd. This business would operate Monday through Friday 8:30 a.m.- 7:30 p.m. and Saturday to Sunday 9:00 a.m.- 6:00 p.m. It has been determined that the proposed project qualifies for a CEQA Exemption as Class 1 Existing Facilities, consistent with the provisions of CEQA Guidelines Section 15301.

NOTICE IS HEREBY FURTHER GIVEN that said hearing of the Planning Commission will be on Wednesday, January 23th, 2019. The meeting will be held at the hour of 6:30 p.m. in the City Council Chambers located at One Alvarado Square, 13831 San Pablo Avenue, San Pablo, CA. 94806 at which time and place all persons interested may appear and be heard thereon. Questions may be directed to the City of San Pablo Community and Economic Development Department at (510) 215-3030.

NOTE: If you challenge this item in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

If you need Spanish language assistance, please contact the Community and Economic Development Department at (510) 215-3030. Si necesita asistencia en español, por favor contacte al Departamento de Desarrollo Comunitario y Económico al (510) 215-3030.

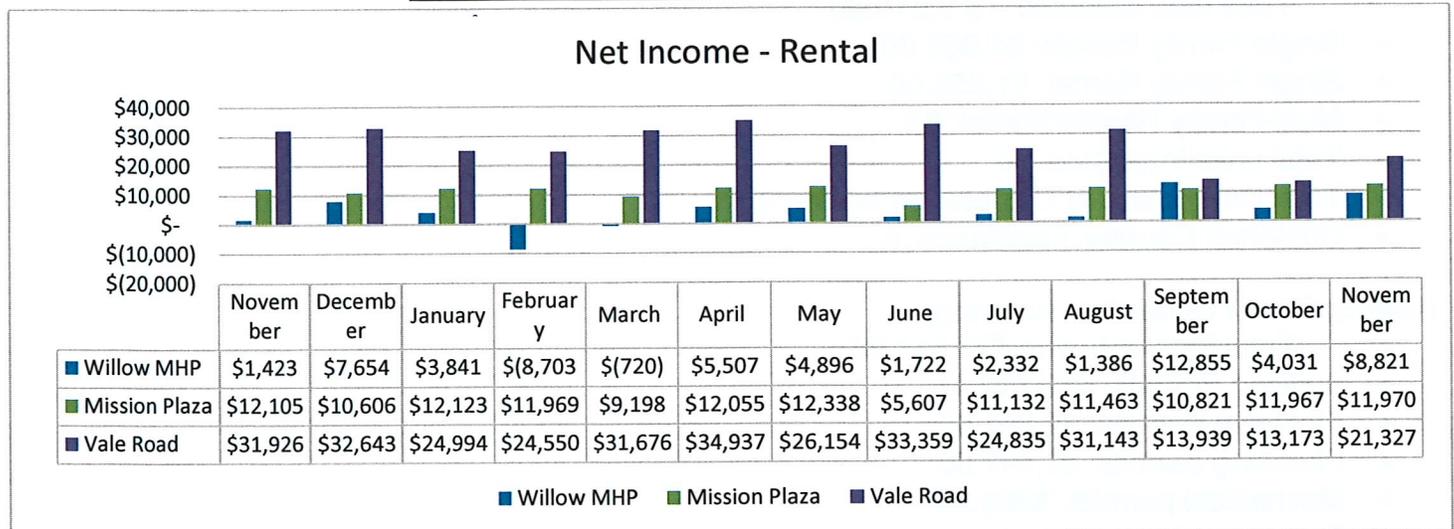
**Sandra Marquez, Assistant Planner
Community and Economic Development**

WCT 6279040 January 12, 2019

COMMUNITY & ECONOMIC DEVELOPMENT

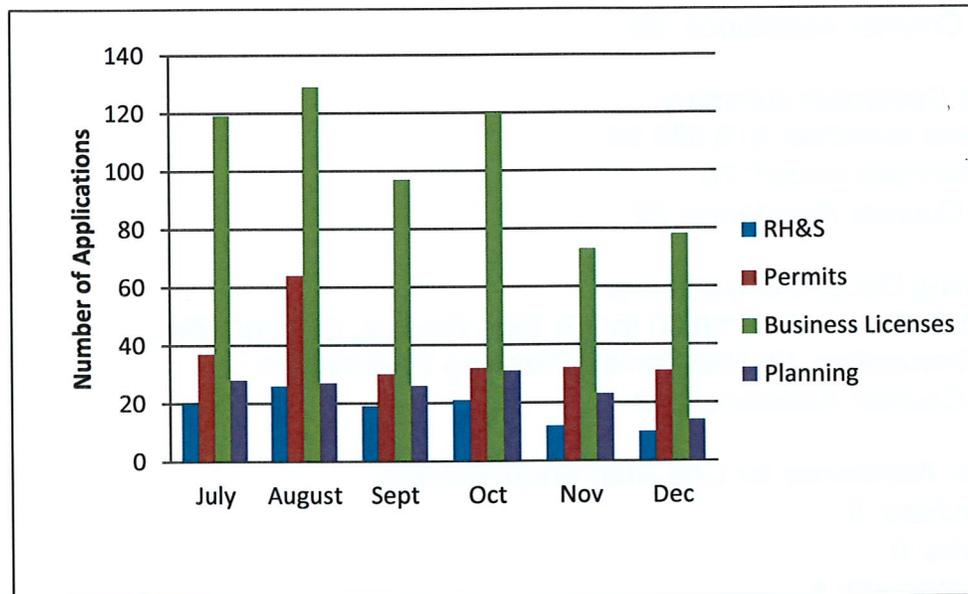
Statistical Data

ECONOMIC DEVELOPMENT STATISTICAL DATA*



*Note: Data is always several months behind

BUILDING AND PLANNING STATISTICAL DATA



Applications Received: Residential Health & Safety, Building Permits, Business Licenses & Community Planning (July 2018 – December 2018)

FYTD Total Applications Received – 1,099 FYTD Total Fees Collected - \$509,378

FYTD Total Number of Customers Assisted – 1,953

Significant Events / Work Plan Accomplishments

CITYWIDE

- Prime Time Nutrition opened for business

DEPARTMENTAL

- We hired a new Admin. Clerk, Jessica Arroyo.
- The tobacco ordinance was bought back to CC and approved
- We issued the under-slab/utilities permit for the new City Hall and work has begun.
- The complete building permit for City Hall is in final review