



## 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

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### 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 <sup>rd</sup> 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	<b>CONDITIONAL APPROVAL</b>

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 23<sup>rd</sup> 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 23<sup>rd</sup> Street. The motion was approved by a vote of 4-0-1, with Commissioner Feliciano absent.

AYES: Shi, 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.

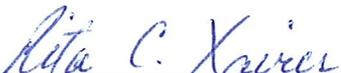
**Commissioner Updates**

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.

  
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Rita Xavier, Chairperson

  
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Charles Ching, Secretary