



City of San Pablo Planning Commission MINUTES

Tuesday, July 28, 2020 at 6:00 pm

City Hall Council Chambers, Building 2

13831 San Pablo Avenue, San Pablo, CA 94806

Roll Call

Chair Feliciano called the teleconferenced/video-conferenced meeting to order at 6:02 p.m. Roll call showed present: Commissioner Shi, Vice Chair Gantt, and Chair Feliciano. Commissioner Harlan-Ogbeide joined the meeting at 6:15 p.m. and Commissioner Morris was absent. Staff present at the meeting included: Lynn Tracy Nerland, City Attorney; Charles Ching, Community & Economic Development Director; Libby Tyler, Planning Manager; Sandra Marquez, Associate Planner; Michelle Chavez, Administrative Secretary; and Brian Bubar, Captain of San Pablo Police Department.

Planning Manager Tyler announced that the meeting was being held via video/teleconference in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Orders N-25-20 and N-29-20 that allow members of the Planning Commission, City staff and the public to participate and conduct a meeting by teleconference, videoconference or both. Ms. Tyler further announced the ways in which members of the public could watch or listen to the meeting during livestream on the City website, which were also highlighted in the Planning Commission's agenda. Instructions were also announced on how the public could provide public comments via email which would be read before consideration of the item.

Approval of the Minutes

Commissioner Shi made a motion to approve the minutes from the June 23, 2020 meeting. The motion was seconded by Vice Chair Gantt and passed as follows:

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

Appeal Date

Planning Manager Tyler announced that the appeal date for actions taken by the Commission at this meeting would be no later than 6:00 p.m. on **Monday, August 10, 2020.**

Public Hearing

Location: 13956 San Pablo Avenue
APN: 411-350-039 and 411-350-027
Zoning: SP2- San Pablo Avenue Specific Plan, High Density Residential
CEQA: Exempt under Section 15301, Class 1(a), Existing Facilities
Owner: Arnold Creekside LLC and Gordon Creekside LLC
Applicant: Oryx Partners, LLC
Agent for Applicant: J.C. Wallace

Planning Manager Tyler informed the Commission of the applicant's request for a Conditional Use Permit, in PLAN2002-0022, to allow a Community Care Facility for up to 262 adult residents in an existing building currently in use as a senior living facility on a 2.29-acre parcel at 13956 San Pablo Avenue. The San Pablo Avenue Specific Plan requires a

Conditional Use Permit for Community Care facilities. The use of the parcel was previously permitted as a 117-unit senior living apartment complex on February 4, 1986 (Use Permit #1371), which was recently closed. Commissioners Shi and Harlan-Ogbeide had a few questions regarding the new owners and use as a Community Care Facility. The Director of Community and Economic Development explained that Oryx Partners, LLC would like to buy the property to use as an adult mental health transitional facility. Planning Manager Tyler explained the facility would look the same as it does today. There will be some interior remodeling, restriping of the parking lot, new fencing and installation of motion lights. JC Wallace, Principal of Oryx Partners, LLC informed the Commissioners that they would only purchase the property if the Use was approved.

A&A Health Services Company, CEO/Founder Betty Dominici will be running the operations of the Facility. Residents typically stay for 6-12 months, but can stay up to 24 months. The Facility is for adults 18-59 years old who are transitioning down from a hospital type setting. This Facility helps give the residents tools to be successful in living on their own. Andrew Dominici, Director of Operations with the A&A Company, explained that they work with local companies for job placement. They also work with case workers and educate residents on medication management. A&A Company operates a smaller, but similar facility in Vallejo named Palm View Retreat. The money provided to run the facility comes from contracts with Kaiser, Sutter, Contra Costa County and Solano County. The Commissioners had inquiries and concerns regarding the maximum residency being increased from 140 to 262 capacity and impacts on the community and public safety. In addition, due to COVID 19 restrictions, the question was asked about how could 2 people stay in a room together? Betty Dominici informed the Commissioners that there is a nurse on staff of A&A specializing in COVID-19 and ensured Commissioners that state and local regulations will be followed. Employees will wear proper PPE and have temperatures taken three times a day at shift changes.

The public hearing was opened at 7:35 p.m. Supervisor John Goya submitted a letter in favor of the use changing to a Community Care Facility. The public hearing closed at 7:39 p.m. after confirming that there were no additional emails or speakers wishing to participate by phone or on the Zoom meeting platform. Commissioner Gantt indicated her support of the application as a needed use in the community. Commissioner Shi believes the facility should be located elsewhere in San Pablo and not on the main thoroughfare of San Pablo Avenue. Chair Feliciano suggested a cap on residency at 174 after six months and then have the Commission reassess community and public safety impacts before agreeing to the 262-resident request. Commissioner Harlan-Ogbeide expressed concerns about the resident's' safety and impacts and need for a high occupancy of 262. Captain Bubar informed staff that it is unknown if mental health calls or criminal activity will increase due to this proposed facility. Due to the unknown, the Police Department is in support of the phased in occupancy approach. The PD currently has 59 police officers and 3 openings.

The Commissioners would like additional information before making a decision on the Conditional Use Permit. They would like more information on the Palm View Retreat, the facility that the A&A Company runs in Vallejo, along with information from The City of Vallejo's Police Department regarding police involvement with Palm View Retreat and other community impacts. They would also like additional COVID-19 information pertaining to the proposed facility.

Commissioner Harlan-Ogbeide made a motion to continue this item to August 25, 2020, seconded by Commissioner Shi and passed as follows:

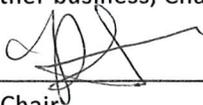
AYES: Shi, Harlan-Ogbeide, Gantt, Feliciano
NOES: None
ABSENT: Morris
ABSTAIN: None

Staff Updates

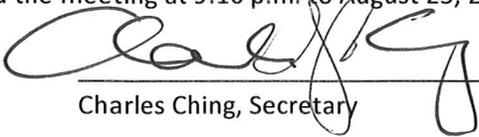
Community & Economic Development Director Ching informed Commissioners that Elizabeth "Libby" Tyler has been hired as the new Planning Manager. Sandra Marquez has been promoted from Assistant Planner to Associate Planner.

Adjournment

There being no further business, Chair Feliciano adjourned the meeting at 9:16 p.m. to August 25, 2020.



Roberta Feliciano, Chair



Charles Ching, Secretary